SAN FRANCISCO PUBLIC LIBRARY
3 1223 10055 7157

5/S

San Francisco Public Library

Government Information Center
San Francisco Public Library
100 Larkin Street, 5th Floor
San Francisco, CA 94102

REFERENCE BOOK
Not to be taken from the library

Digitized by the Internet Archive
in 2014

https://archive.org/details/ordinance1988sanf_4

3 1223 10055 7157

FILE NO. 224-88-3

ORDINANCE NO. 501-88

[Implementation of Settlement Agreement]

AUTHORIZING CONVEYANCE OF PARCELS OF REAL PROPERTY LOCATED AT 398 HAIGHT STREET AND 220 PIERCE STREET TO TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION, AND INTERIM MANAGEMENT AGREEMENT FOR 220 PIERCE STREET.

Be it ordained by the People of the City and County of San Francisco:

Section 1. On March 16, 1987, the Board of Supervisors adopted Ordinance No. 86-87, approved by the Mayor on March 27, 1987, ratifying a Settlement Agreement and Release, dated January 22, 1987, between John M. England, Trustee of the Estate of Pride Foundation, Debtor, ("England") and the City and County of San Francisco ("City"), which Settlement Agreement and Release did provide, among other things, for the conveyance to City, or its nominee, of two apartment buildings, and the land upon which they are situated, located in the City and County of San Francisco at 398 Haight Street (Lot 3E in Assessor's Block 850) and at 220 Pierce Street (Lot 39 in Assessor's Block 847).

Section 2. On July 6, 1987, the Board of Supervisors adopted Resolution 589-87, approved by the Mayor on July 8, 1987, which, among other things, authorized the Director of Property to accept a deed conveying said 220 Pierce Street to the City until a suitable nominee is selected to receive title to said parcel.

Section 3. Said Resolution 589-87 further authorized the Mayor's Office of Housing to enter into an agreement with Tenderloin Neighborhood Development Corporation, a non-profit housing corporation ("TNDC"), to manage said 220 Pierce Street after acquisition by the City.

Section 4. On October 20, 1987, England conveyed to City said 220 Pierce Street.

Section 5. On October 20, 1987, City entered into a Management Agreement with TNDC for said 220 Pierce Street.

Section 6. On May 31, 1988, England conveyed to TNDC the property known as 398 Haight Street, as the City's nominee.

Section 7. The Mayor's Office of Housing has recommended TNDC as a suitable nominee to receive title to 220 Pierce Street and 398 Haight Street, in order to operate said properties as low and moderate income housing.

Section 8. The Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, are hereby authorized and directed to execute and deliver a deed conveying the property known as 220 Pierce Street to Tenderloin Neighborhood Development Corporation, provided that the deed shall contain a requirement that Tenderloin Neighborhood Development Corporation shall receive the approval of the Board of Supervisors, or shall offer to reconvey 220 Pierce Street to the City and County of San Francisco, prior to any disposition, transfer or sale of the title or ownership of 220 Pierce Street.

Section 9. The Board of Supervisors hereby approves the conveyance of title of 398 Haight Street from Pride Foundation to Tenderloin Neighborhood Development Corporation pursuant to the

DOCUMENTS DEPT.
DEC 5 1988
SAN FRANCISCO
PUBLIC LIBRARY

terms of the Settlement Agreement, provided that the conveyance shall contain a requirement that Tenderloin Neighborhood Development Corporation shall receive the approval of the Board of Supervisors, or shall offer to reconvey 398 Haight Street to the City and County of San Francisco, prior to any disposition, transfer or sale of the title or ownership of 398 Haight Street.

Section 10. The Board of Supervisors hereby authorizes and directs the Mayor's Office of Housing to extend the Management Agreement for 220 Pierce Street until such date as Tenderloin Neighborhood Development Corporation takes title to said property or until three months from the date of enactment of this Ordinance, whichever shall first occur.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

APPROVED AND RECOMMENDED

_____
ANTHONY J. DeLUCCHI
Director of Property

_____
WILLIAM A. WITTE, Deputy Mayor

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 31, 1988	November 7, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker	Ayes: Supervisors Britt Hsieh Kennedy Molinari Nelder Silver Walker Ward
	Absent: Supervisors Gonzalez Maher Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
224-88-3

NOV 15 1988
Date Approved

_____
Mayor

FILE NO. 46-88-18 ORDINANCE NO. 502-88

(Settlement of Lawsuit)

AUTHORIZING SETTLEMENT OF ALEXANDER HAMILTON POST NO. 448 OF THE AMERICAN LEGION V. SAN FRANCISCO WAR MEMORIAL BOARD OF TRUSTEES, ET AL. FOR CITY'S AGREEMENT TO BEAR ITS OWN COSTS AND ATTORNEYS' FEES

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "ALEXANDER HAMILTON POST NO. 448 OF THE AMERICAN LEGION V. SAN FRANCISCO WAR MEMORIAL BOARD OF TRUSTEES, ET AL.," Superior Court No. 881-284, by agreeing that the City will bear its own costs and attorneys' fees.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

ROBERT A. KENEALEY
Assistant Chief
Deputy City Attorney

RECOMMENDED:

WAR MEMORIAL BOARD OF TRUSTEES

THELMA SHELLEY,
Managing Director
San Francisco War Memorial
Performing Arts Center

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 7, 1988	November 14, 1988
Ayes: Supervisors Britt Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Maher Molinari Nelder Silver Walker
Absent: Supervisors Gonzalez Maher Hongisto	Absent: Supervisors Hsieh Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

NOV 16 1988
Date Approved

Mary Anne Buby
Acting Clerk

Mayor

File No.
46-88-18

DOCUMENTS DEPT.
DEC 5 1988
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 45-88-72

ORDINANCE NO. 503-88

RO #8107

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF NANCY MCGARVEY AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $22,500.

Be it ordained by the People of the City and County of San Francisco:

SECTION I. The City Attorney is hereby authorized to settle the action entitled "NANCY MCGARVEY V. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 886-717, by the payment of $22,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. RILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF ELECTRICITY

~~JULES T. BECKLY~~ JAMES S. WERDELL
General Manager

FUNDS AVAILABLE:

JOHN CARRELL
Controller

SEP 30 1988

01 001 97 09 75
309609 1450 $22,500.00

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

DOCUMENTS DEPT.
DEC 5 1988
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 7, 1988	November 14, 1988
Ayes: Supervisors Britt Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Maher Molinari Nelder Silver Walker
Absent: Supervisors Gonzalez Maher Hongisto	Absent: Supervisors Hsieh Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No.
45-88-72

NOV 17 1988
Date Approved

Mayor

FILE NO. 45-88-77 ORDINANCE NO. 504-88

[SETTLEMENT OF LAWSUIT] RO #8115

AUTHORIZING SETTLEMENT OF LITIGATION OF ANNETTE BRATCHER AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $28,160.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "ANNETTE BRATCHER v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 849-608, by the payment of $28,160.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

FRANK JORDAN
Chief

FUNDS AVAILABLE:

JOHN HARRELL
Controller
01 001 97 09 38
309781 1450 $28,160.00

OCT 13 1988

APPROVED:
POLICE COMMISSION:

SECRETARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 7, 1988	November 14, 1988
Ayes: Supervisors Britt Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Maher Molinari Nelder Silver Walker
Absent: Supervisors Gonzalez Maher Hongisto	Absent: Supervisors Hsieh Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

File No. 45-88-77

NOV 17 1988
Date Approved

ACTING Clerk

Mayor

DOCUMENTS DEPT.
DEC 5 1988
SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 45-88-78

ORDINANCE NO. 505-88

RO #8116

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF BETSY KROHN AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $9,500.

Be it ordained by the People of the City and County of San Francisco:

SECTION I. The City Attorney is hereby authorized to settle the action entitled "BETSY KROHN V. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 888-439, by the payment of $9,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. RILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

DR. DAVID WERDEGAR
Director

FUNDS AVAILABLE:

JOHN CARRELL
Controller

01 001 97 09 86
309807 1450 $9,500.00

OCT 19 1988

APPROVED:

APPROVED:

HEALTH COMMISSION

SECRETARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 7, 1988	November 14, 1988
Ayes: Supervisors Britt Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Maher Molinari Nelder Silver Walker
Absent: Supervisors Gonzalez Maher Hongisto	Absent: Supervisors Hsieh Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 45-88-78

NOV 17 1988
Date Approved

Mayor

DOCUMENTS DEPT.
DEC 5 1988
SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 45-88-79

ORDINANCE NO. 506-88

RO #8117

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF MARTHA AND FRANKIE MOSQUEDA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $11,667 and the waiver of any and all medical bills, liens or claims in favor of the City and County of San Francisco against the plaintiffs.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "MOSQUEDA v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 857-407, by the payment of $11,667 and the waiver of any and all medical bills, liens or claims in favor of the City and County of San Francisco against the plaintiffs.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

DAVID WERDEGAR, M.D., M.P.H.
Director

APPROVED:

HEALTH COMMISSION

SECRETARY

FUNDS AVAILABLE:

JOHN CORRELL
Controller

01 001 97 09 86
8084t 309807 1450 $11,667.00

OCT 19 1988

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 7, 1988	November 14, 1988
Ayes: Supervisors Britt Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Maher Molinari Nelder Silver Walker
Absent: Supervisors Gonzalez Maher Hongisto	Absent: Supervisors Hsieh Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 45-88-79

NOV 17 1988
Date Approved

Mayor

DOCUMENTS DEPT.
DEC 5 1988
SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 46-88-17 ORDINANCE NO. 507-88

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF JAMES L. GRIFFIN v. ROMULUS ASEN-LOO, ET AL., UPON RECEIPT OF $12,000.00 AND AUTHORIZING DISMISSAL OF SAID LITIGATION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 855720 entitled "JAMES L. GRIFFIN, Plaintiff v. ROMULUS ASEN-LOO, et al., Defendants" by acceptance of the sum of $12,000.00.

Section 2. Upon receipt of said sum of $12,000.00, the City Attorney is authorized to dismiss said complaint.

APPROVED AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By _____
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By _____
PAM LEVESQUE
Executive Assistant to
General Manager

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 7, 1988	November 14, 1988
Ayes: Supervisors Britt Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Maher Molinari Nelder Silver Walker
Absent: Supervisors Gonzalez Maher Hongisto	Absent: Supervisors Hsieh Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
ACTING Clerk

File No.
46-88-17

NOV 17 1988
Date Approved

_____
Mayor

DOCUMENTS DEPT.
NOV 1988
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 90-88-1 ORDINANCE NO. 508-88

(Landmarks)

DESIGNATING THE FRANK G. EDWARDS HOUSE AS A LANDMARK PURSUANT TO ARTICLE 10 OF THE CITY PLANNING CODE.

Be it Ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that the Frank G. Edwards House located at 1366 Guerrero Street, Lot 13 in Assessor's Block 6533, has a special character and special historical, architectural and aesthetic interest and value, and that its designation as a landmark will further the purposes of, and conform to the standards set forth in Article 10 of the City Planning Code.

(a) Designation. Pursuant to Section 1004 of the City Planning Code, Chapter II, Part II of the San Francisco Municipal Code, the Frank G. Edwards House is hereby designated as a Landmark, this designation having been duly approved by Resolution No. 11389 of the City Planning Commission, which Resolution is on file with the Clerk of the Board of Supervisors under File No. 90-88-1 .

(b) Required Data. The description of the location and boundaries of the Landmark site, of the characteristics of the Landmark which justify its designation, and of the particular features that should be preserved as included in the said Resolution, are incorporated in this designating ordinance as though fully set forth.

APPROVED AS TO FORM:
LOUISE H. RENNE
CITY ATTORNEY

By _____
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By Dean L. Macris
Dean L. Macris
Director of Planning

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 7, 1988	November 14, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Maher Molinari Nelder Silver Walker
Absent: Supervisor Hongisto	Absent: Supervisors Hsieh Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Maureen Burke
ACTING Clerk

File No. 90-88-1

NOV 17 1988
Date Approved

Mayor

DOCUMENTS DEPT.
NOV 5 1993
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 90-88-2

ORDINANCE NO. 509-88

(Landmarks)

DESIGNATING THE CHARLES L. HINKEL HOUSE AND CARRIAGE HOUSE AS A LANDMARK PURSUANT TO ARTICLE 10 OF THE CITY PLANNING CODE.

Be it Ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that the Charles L. Hinkel House and Carriage House located at 280 Divisadero Street, Lot 23 in Assessor's Block 1238, has a special character and special historical, architectural and aesthetic interest and value, and that its designation as a landmark will further the purposes of, and conform to the standards set forth in Article 10 of the City Planning Code.

(a) Designation. Pursuant to Section 1004 of the City Planning Code, Chapter II, Part II of the San Francisco Municipal Code, the Charles Hinkel House and Carriage House is hereby designated as a Landmark, this designation having been duly approved by Resolution No. 11390 of the City Planning Commission, which Resolution is on file with the Clerk of the Board of Supervisors under File No. 90-88-2 .

(b) Required Data. The description of the location and boundaries of the Landmark site, of the characteristics of the Landmark which justify its designation, and of the particular features that should be preserved as included in the said Resolution, are incorporated in this designating ordinance as though fully set forth.

APPROVED AS TO FORM:
LOUISE H. RENNE
CITY ATTORNEY

By _____
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By _____
Dean L. Macris
Director of Planning

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
November 7, 1988	§	November 14, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hongisto Maher Molinari Nelder Silver Walker
Absent: Supervisors Hongisto	§	Absent: Supervisors Hsieh Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Ann Bulen
ACTING Clerk

File No.
90-88-2

NOV 17 1988
Date Approved

Mayor

DOCUMENTS DEPT.
DEC 5 1988
SAN FRANCISCO
PUBLIC LIBRARY

IN COMMITTEE 10/25/88

FILE NO. 97-88-68

ORDINANCE NO. 510-88

[Legislative Representatives]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 16.3-2 THERETO, DIRECTING THE STATE AND FEDERAL LEGISLATIVE REPRESENTATIVES TO TAKE NO ACTION WHEN THE MAYOR AND THE BOARD OF SUPERVISORS HAVE A DISAGREEMENT ON THE POSITION THE CITY SHOULD TAKE ON STATE OR FEDERAL LEGISLATION.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Article I, Chapter 16, of the San Francisco Administrative Code is hereby amended by adding thereto Section 16.3-2 to read as follows:

SEC, 16.3-2. STATE AND FEDERAL LEGISLATIVE REPRESENTATIVES TO TAKE NO ACTION WHEN MAYOR AND BOARD DISAGREE ON CITY POSITION ON STATE OR FEDERAL LEGISLATION. Notwithstanding the provisions of Section 5.10, 5.11, 16.3 and 16.3-1 of the Administrative Code, the State and Federal Legislative Representatives shall take no action with respect to particular proposed state or federal legislation or any other related issue if the Board of Supervisors, by resolution, takes a position on proposed legislation or on an issue, the Mayor vetoes the resolution, and the Board does not override the veto. If the veto is overridden by the Board of Supervisors, or if the Mayor does not veto the resolution of the Board of Supervisors, then the position taken by the Board in its resolution shall be the position of the City and County, and the State and Federal Legislative

/ / /

/ / /

Representatives shall advocate the position reflected in the Board's resolution.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

DOCUMENTS DEPT.
DEC 13 1988
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 31, 1988	November 7, 1988
Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Gonzalez	Absent: Supervisors Gonzalez Maher Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-88-68

NOV 16 1988
Date Approved

Mayor

FILE NO. 101-88-34

ORDINANCE NO. 511-88

RO #8113 SA #38

(Government Funding)

APPROPRIATING $7,964,963 FOR PERMANENT SALARIES - UNIFORMED, PERMANENT SALARIES - MISCELLANEOUS, HOLIDAY PAY, MANDATORY FRINGE BENEFITS, EXTENDED WORK WEEK, TRAVEL, TRAINING, MATERIAL AND SUPPLIES, EQUIPMENT, PROFESSIONAL SERVICES, CONTRACTUAL SERVICES, EQUIPMENT LEASE PURCHASE, PROGRAM PROJECT BUDGET (CONSENT DECREE), CAPITAL IMPROVEMENT PROJECT (VARIOUS STATIONS - WOMEN), AND RESCINDING $450,766 FROM PERMANENT SALARIES - UNIFORMED, PERMANENT SALARIES - MISCELLANEOUS; FOR THE RESTORATION OF ONE HUNDRED EIGHTY-SEVEN (187) POSITIONS, THE DELETION OF TWENTY-FOUR (24) POSITIONS, AND THE ADDITION OF TWELVE (12) POSITIONS, FIRE DEPARTMENT, FOR FISCAL YEAR 1988-89, SUBJECT OF A PREVIOUS BUDGETARY DENIAL, AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN, AND MAKING FINDINGS REGARDING COURT MANDATE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 904 (000026)	Reserve		
Subsidiary 000009	Fire Department - Four Truck Companies/One Rescue Squad Restoration	$7,097,004	
G.L. 905	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	417,193	
31-03-00	Fire Department		
	Suppression		
01-0020 (530071)	Permanent Salaries - Uniformed		$1,301,525
03-0120	Holiday Pay		113,589
03-0130	Extended Work Week		2,948,125
04-0600	Mandatory Fringe Benefits		1,297,907

//////////
//////////

	Training		
01-0020 (530139)	Permanent Salaries - Uniformed		$ 122,540
03-0120	Holiday Pay		10,247
04-0600	Mandatory Fringe Benefits		119,790
10-1206	Travel		2,025
10-1209	Training		645
11-1304	Material and Supplies		44,560
22-2200	Equipment		20,567
	Prevention		
01-0010 (530014)	Permanent Salaries - Miscellaneous	$ 295,609	
01-0020	Permanent Salaries - Uniformed		406,142
03-0120	Holiday Pay		33,958
04-0600	Mandatory Fringe Benefits		325,266
	Investigation		
01-0020 (530006)	Permanent Salaries - Uniformed		90,254
03-0120	Holiday Pay		7,546
04-0600	Mandatory Fringe Benefits		89,838
	Support Services		
01-0020 (530022)	Permanent Salaries - Uniformed		37,486
03-0120	Holiday Pay		4,179
04-0600	Mandatory Fringe Benefits		37,210
	Administration		
01-0010 (530030)	Permanent Salaries - Miscellaneous	53,106	
01-0020	Permanent Salaries - Uniformed		222,894
03-0120	Holiday Pay		18,636
04-0600	Mandatory Fringe Benefits		206,805
22-2261	Equipment		3,200

//////////
//////////

DOCUMENTS DEPT.
OCT 1988
SAN FRANCISCO
PUBLIC LIBRARY

20-2010	Program Project Budget		
Project 117-01	Consent Decree		
01-0010 (333203)	Permanent Salaries - Miscellaneous	$ 102,051	
01-0020	Permanent Salaries - Uniformed		$ 131,231
03-0120	Holiday Pay		10,972
04-0600	Mandatory Fringe Benefits		102,726
10-1001	Professional Services		85,000
10-1090	Contractual Services		2,500
22-2201	Equipment		72,500
22-2310	Equipment Lease Purchase - Special S/O		15,100
21-2030 (530097)	Capital Improvement Project		
Project 333-01	Various Stations - Women		80,000
	Total	$7,964,963	$7,964,963

Section 2. Funds are hereby appropriated for the restoration of one hundred eighty-seven (187) positions, deletion of twenty-four (24) positions, and the addition of twelve (12) positions by amendment to the annual salary ordinance (Board of Supervisors' File No.) as follows:

Fund: General Fund

Department: Fire Department

Classification	Rate of Pay	Restored	Deleted	Added
H2 A Firefighter	$1249 B $1445	136	1	
H10 A Chief's Aide	1572 B 1572	2		
H20 A Lieutenant	1676 B 1676	23	7	1
H30 A Captain	1915 B 1915	7	2	
H40 A Battalion Chief	2298 B 2298	4	1	
H50 A Asst. Chief of Department (Fire Department)	2657 B 2657	4	1	
A884 A Video Comm. Specialist	1675 B 1675			1
H29 A Special Services Officer	1914 B 1914			7

//////////
//////////

Classification	Rate of Pay	Restored	Deleted	Added
A885 A Captain, Special Services	$2297 B $2297			2
6281 S Fire Safety Inspector II	1336 B 1618		5	
6281 M Fire Safety Inspector II	1336 B 1618		2	
H4 A Inspector, Bureau Fire Prevention and Public Safety	1729 B 1729	9		
H6 A Investigator, Bureau of Fire Investigation	1729 B 1729	2		
1204 S Senior Personnel Clerk	874 B 1057		2	
H51 A Assistant Deputy Chief II	2658 B 2658			1
8126 G Senior Investigator, O.C.C.	1414 B 1714		3	
	Total	187	24	12

Section 3. This ordinance is hereby adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to the provisions of Section 6.306 of the Charter. This item was previously requested by budget estimate and denied by the Mayor.

Section 4. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

Section 5. Proposed Findings: Fire Department Supplemental

This supplemental appropriation restores to the budget of the San Francisco Fire Department expenditures that had been eliminated from the budget by the Mayor before it was transmitted to the Board of Supervisors. The budget adopted by the Board of Supervisors reflected those cuts.

Shortly after the adoption of the interim budget, certain plaintiffs in the consolidated cases of USA v. City and County of San Francisco, USDC C. 84-1100-MHP, and Davis v. City and County of San Francisco, USDC C. 84 7089-MHP (hereinafter "Firefighters"), sought contempt and injunctive relief against the City and County of San Francisco. The plaintiffs claimed that the budget cuts violated the consent decree approved by the court in the Firefighters case.

//////////
//////////

The Court enjoined the City from making its proposed cuts and ordered the City to continue the prior year's level of service in the San Francisco Fire Department. The Court's order was based on its finding that the budget cuts would result in demotions, and the elimination of promotional opportunities. The Court found that these demotions and the elimination of promotional opportunities would prevent the City from meeting its hiring, promotion, and training obligations under the consent decree.

This supplemental appropriation is necessary to enable the City to comply with the Court's order that the City continue providing service at the prior year's level so as to avoid demotions and other reductions.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

OCT 14 1988

APPROVED:
CIVIL SERVICE COMMISSION

BY: John J. Walsh
GENERAL MANAGER, PERSONNEL

ac(0721P116-120)

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
November 7, 1988	$	November 14, 1988
	$	
	$	
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	$	Ayes: Supervisors Britt Gonzalez Hongisto Maher Molinari Nelder Silver Walker
	$	
Absent: Supervisors Hongisto	$	Absent: Supervisors Hsieh Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
ACTING Clerk

File No.
101-88-34

NOV 17 1988
Date Approved

_____
Mayor

FILE NO. 101-88-37

ORDINANCE NO. 542-88

RO #8102 SA #27

(Government Funding)

APPROPRIATING $223,457 FOR PERMANENT SALARIES, TEMPORARY SALARIES, OVERTIME, RELATED MANDATORY FRINGE BENEFITS, TRAVEL AND MATERIAL AND SUPPLIES FOR THE CREATION OF FIVE POSITIONS, DEPARTMENT OF PUBLIC HEALTH, CENTRAL OFFICE, FOR FISCAL 1988-89.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
60-6223(041590)	A.I.D.S Epidemiology and Prevention $ 223,457		
83-03-07	Public Health - Central Office		
01-0010(733527)	Permanent Salaries		$127,157
02-0200	Temporary Salaries		4,080
03-0100	Overtime		1,600
04-0600	Retirement		21,254
04-0606	Social Security		9,976
04-0610	Health Service - City Match		5,730
04-0620	Unemployment Insurance		266
10-1206	Travel Expense		3,000
11-1300	Material and Supplies		50,394
	Total	$223,457	$223,457

Section 2. Funds are hereby appropriated for the addition of five (5) positions by amendment to Annual Salary Ordinance (Board of Supervisor's File No. 102-88-14) as follows:

Fund: General Fund
Department: Public Health Central Office

CLASSIFICATION	RATE OF PAY	ADDED
1819 A Management Information Systems Specialist III	$1457 B$1765	1
1844 A Sr. Management Assistant	1279 B 1550	1
2416 A Bacteriological Lab Asst.	762 B 920	2
2462 A Microbiologist	1273 B 1543	1
	Total	5

APPROVED AS TO FORM
LOUISE H. RENNE, CITY ATTORNEY
BY: [signature]
DEPUTY CITY ATTORNEY

FUND AVAILABLE
[signature]
CONTROLLER

APPROVED: CIVIL SERVICE COMMISSION

OCT 19 1988

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 7, 1988	November 14, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Maher Molinari Nelder Silver Walker
Absent: Supervisors Hongisto	Absent: Supervisors Hsieh Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
CLERK

File No. 101-88-37

NOV 17 1988
Date Approved

[signature]
Mayor

DOCUMENTS DEPT.
DEC 5 1988
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 101-88-38

ORDINANCE NO. 543-88

RO #8124

(Government Funding)

AMENDING ADMINISTRATIVE PROVISIONS OF THE ANNUAL APPROPRIATION ORDINANCE FOR FISCAL YEAR 1988-1989 AUTHORIZING CONTROLLER TO ACCOUNT FOR SHORT TERM BORROWING AGREEMENTS AUTHORIZED BY RESOLUTION OR ORDINANCE OF BOARD OF SUPERVISORS.

Be it ordained by the People of the City and County of San Francisco:

This entire section is new

Section 1. The Administrative Provisions of the Annual Appropriation Ordinance for fiscal year 1988-89 are hereby amended by adding thereto Section 11.14, to read as follows:

Section 11.14. The Controller is hereby authorized and directed to adjust estimated revenues and expenditures to record the receipts from, and any interest, principal and other costs incurred by, short-term borrowing agreements authorized by Resolution or Ordinance of the Board of Supervisors. The Controller is hereby authorized to transfer amounts necessary to service and defease such short term debt from any available funds and said funds are hereby appropriated for the purposes specified in said short-term borrowing agreements.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore P. Sato
DEPUTY CITY ATTORNEY

207A:77

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 7, 1988	November 14, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Maher Molinari Nelder Walker
Noes: Supervisor Silver	Noes: Supervisor Silver
Absent: Supervisor Hongisto	Absent: Supervisors Hsieh Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Anne Bulan
ACTING CLERK

File No.
101-88-38

NOV 17 1988
Date Approved

Mayor

FILE NO. 102-88-9 ORDINANCE NO. 514-88

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 9

AMENDING ORDINANCE NO. 269-88 (ANNUAL SALARY ORDINANCE, 1988-89) REFLECTING THE RESTORATION OF ONE HUNDRED EIGHTY-SEVEN POSITIONS, THE DELETION OF TWENTY-FOUR POSITIONS AND THE ADDITION OF TWELVE POSITIONS FOR THE FIRE DEPARTMENT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated items and sections of Ordinance No. 269-88 (Annual Salary Ordinance, 1988-89) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
			Dept.: 31 Fire Department Division: 03 General Section: 00 General Program: 1311 Fire Suppression Fund: 01001 General Fund Index: 530071 General Firef'g-Budget Proj/Phase: 000/00 Unassigned Title Object: 002 Permanent Salaries	
134 added	986	H2 A	Firefighter	$1249B1445
2 added	56	H10 A	Chief's Aide	1572B1572
18 added	180	H20 A	Lieutenant	1676B1676
6 added	71	H30 A	Captain	1915B1915
3 added	40	H40 A	Battalion Chief	2298B2298
3 added	11	H50 A	Asst. Chief of Department, (Fire Department)	2657B2657
			Dept.: 31 Fire Department Division: 03 General Section: 00 General Program: 1316 Bureau of Training Fund: 01001 General Fund Index: 530139 Bureau of Training-Budget Proj/Phase 000/00 Unassigned Title Object: 002 Permanent Salaries-Uniformed	
1 deleted	0	H2 R	Firefighter	1249B1445
1 added	1	A884 A	Video Comm Specialist ....SC	1675B1675
6 deleted	0	H20 R	Lieutenant	1676B1676
1 added	1	H20 A	Lieutenant ....SC	1676B1676
1 deleted	0	H20 A	Lieutenant ....SC	1676B1676
7 added	7	H29 A	Special Services Officer ....SC	1914B1914

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 9

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
2 deleted	0	H30 R	Captain	$1915B1915
2 added	2	A885 A	Captain, Special Services ....SC	2297B2297
1 deleted	0	H40 R	Battalion Chief	2298B2298
1 added	1	H50 A	Assistant Chief ....SC	2657B2657
			Dept.: 31 Fire Department Division: 03 General Section: 00 General Program: 1312 Fire Prevention Fund: 01001 General Fund Index: 530014 Prevention-Gen Fund Exp Proj/Phase: 000/00 Unassigned Title Object: 001 Permanent Salaries-Miscellaneous	
2 deleted	0	6281 N	Fire Safety Inspector II ....SC	1336B1618
5 deleted	0	6281 S	Fire Safety Inspector II ....SC	1336B1618
			Dept.: 31 Fire Department Division: 03 General Section: 00 General Program: 1312 Fire Prevention Fund: 01001 General Fund Index: 530014 Prevention-Gen Fund Exp Proj/Phase: 000/00 Unassigned Title Object: 002 Permanent Salaries-Uniformed	
9 added	19	H4 A	Inspector, Bur Fire Prev & Pub Safety	1729B1729
			Dept.: 31 Fire Department Division: 03 General Section: 00 General Program: 1313 Fire Investigation Fund: 01001 General Fund Index: 530006 Investigation-Gen Fund Exp Proj/Phase: 000/00 Unassigned Title Object: 002 Permanent Salaries-Uniformed	
2 added	11	H6 A	Investigator, Bureau of Fire Investigation	1729B1729

/
/
/
/
/
/
/

DOCUMENTS DEPT.
SAN FRANCISCO
PUBLIC LIBRARY

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 9

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Dept.:	31 Fire Department	
		Division:	03 General	
		Section:	00 General	
		Program:	1314 Fire Support Services	
		Fund:	01001 General Fund	
		Index:	530022 Equip and Maint-Gen Fund Exp	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	002 Permanent Salaries-Uniformed	
1 added	1	H30	A Captain	$191581915
		Dept.:	31 Fire Department	
		Division:	03 General	
		Section:	00 General	
		Program:	7115 Administration	
		Fund:	01001 General Fund	
		Index:	530030 Admin-Gen Fund Exp	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	001 Permanent Salaries-Miscellaneous	
2 deleted	0	1204 S	Senior Personnel Clerk.....SC	87481057
		Object:	002 Permanent Salaries-Uniformed	
1 deleted	0	H50	A Assistant Chief of Department,(Fire Dept.)	265782657
2 added	3	H2	A Firefighter	124981445
2 added	3	H20	A Lieutenant	167681676
1 added	2	H40	A Battalion Chief	229882298
1 added	1	H51	A Assistant Deputy Chief II	265882658
		Dept.:	31 Fire Department	
		Division:	03 General	
		Section:	00 General	
		Program:	1302	
		Fund:	01001 General Fund	
		Index:	333203 Fire Dept-Proj Exp	
		Proj/Phase:	117/01 Fire Fighter-Lieutenant Exams	
		Object:	001 Permanent Salaries-Miscellaneous	
3 deleted	0	8126 G	Senior Investigator, O.C.C.....SC	1414B1714
		Object:	002 Permanent Salaries-Uniformed	
3 added	3	H20	A Lieutenant.....SC	1676B1676

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

John J. Walsh
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Sakey
DEPUTY CITY ATTORNEY

Board of Supervisors, San Francisco

Passed for Second Reading

November 7, 1988

Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward

Absent: Supervisor Hongisto

Finally Passed

November 14, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Maher Molinari Nelder Silver Walker

Absent: Supervisors Hsieh Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

NOV 17 1988
Date Approved

Mary Anna Bulos
Acting Clerk

Mayor

File No.
102-88-9

FILE NO. 102-88-14

ORDINANCE NO. 515-88
SAL.ORD.AMEND.NO. 10A

PUBLIC EMPLOYMENT

AMENDING ORDINANCE NO. 269-88 (ANNUAL SALARY ORDINANCE, 1988-89) REFLECTING THE ADDITION OF FIVE POSITIONS IN THE DEPARTMENT OF PUBLIC HEALTH, CENTRAL OFFICE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated items and section of Ordinance No. 269-88 (Annual Salary Ordinance, 1988-89) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept.:	83 Public Health Central Office	
		Division:	03 Laboratory	
		Section:	07 Aids Epid. & Prev. Svcs.	
		Program:	4120 Public Health Aids	
		Fund:	01001 General Fund	
		Index:	733527 Aids Epid & Prev. Svcs.	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	001 Permanent Salaries-Miscellaneous	
1	added 1	1819 A	Management Information Systems. Specialist III	.Z,SC $1457B1765
1	added 1	1844 A	Sr. Management Assistant.	.Z,SC $1279B1550
2	added 2	2416 A	Bacteriological Lab. Assistant. . .	.SC $762B920
1	added 1	2462 A	Microbiologist.	.Z,SC $1273B1543
		Object:	020 Temporary Salaries	
0	added 0	1446 C	Secretary II.	.SC $874B1057

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

NO. 10A

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 7, 1988	November 14, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Maher Molinari Nelder Silver Walker
Absent: Supervisors Hongisto	Absent: Supervisors Hsieh Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Anne Rulon
ACTING Clerk

File No.
102-88-14

NOV 17 1988
Date Approved

Mayor

DOCUMENTS DEPT.
DEC 5 1988
SAN FRANCISCO
PUBLIC LIBRARY

As amended in Board
11/14/88

FILE NO. 101-88-30

ORDINANCE NO. 516-88

AMENDMENT OF THE WHOLE
RO #8098 SA #35

(Government Funding)

APPROPRIATING $859,748 FOR PERMANENT SALARIES, MANDATORY FRINGE BENEFITS, TEMPORARY SALARIES, DP/WP EQUIPMENT MAINTENANCE, TELEPHONE, RENTAL OF PROPERTY, OFFICE SUPPLIES, FURNITURE, EQUIPMENT PURCHASE, AUTOMOTIVE VEHICLE, DP/WP EQUIPMENT, OTHER EQUIPMENT PURCHASE, SERVICES OF OTHER DEPARTMENTS - PUBLIC WORKS, SERVICES OF OTHER DEPARTMENTS - CONTROLLER AND SERVICES OF OTHER DEPARTMENTS - CITY MAIL SERVICES, FOR THE CREATION OF THIRTEEN (13) POSITIONS, TREASURER - TAX COLLECTOR, FOR FISCAL YEAR 1988-89, PLACING $468,330 ON RESERVE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
GL496(000026) Subsidiary 000006	Unappropriated Revenue Reserved General Reserve	$ 859,748	
08-03-00	Treasurer/Tax Collector		
01-0010(558080)	Permanent Salaries - Miscellaneous		$ 108,752
04-0600	Mandatory Fringe Benefits		30,450
01-0010(558049)	Permanent Salaries - Miscellaneous		81,683
04-0600	Mandatory Fringe Benefits		22,871
02-0200(558080)	Temporary Salaries		65,330
02-0200(558049)	Temporary Salaries		62,428
10-1060(558049)	DP/WP Equipment Maintenance		13,180
10-1230	Telephone		4,225
10-1460(558049)	Rental of Property		76,500
11-1301	Office Supplies		23,250
11-1306	Furniture		22,983
22-2200	Equipment Purchase		6,580
22-2201(558080)	Automotive Vehicle		8,000
22-2231(558049)	DP/WP Equipment		88,016
22-2299	Other Equipment Purchase		45,000
30-3080(558049)	Services Of Other Departments - Public Works		48,000
30-3401(558049)	Services Of Other Departments - Controller		100,000
30-3510(558049)	Services Of Other Departments - City Mail Services		52,500
	Total	$ 859,748	$ 859,748

Section 2. Funds are hereby appropriated for thirteen (13) positions created by amendment to the Annual Salary Ordinance (Board Of Supervisors' File No. _____) as follows:

FUND: GENERAL FUND
DEPARTMENT: TREASURER - TAX COLLECTOR

CLASSIFICATION	RATE OF PAY	CREATED
1404 A Clerk	$ 697 B $ 842	3
1424 A Clerk Typist	728 B 878	3
1630 A Account Clerk	752 B 908	1
4306 A Collections Officer	966 B 1169	4
4334 A Investigator, Tax Collector	1208 B 1463	1
1844 A Senior Management Assistant	1279 B 1550	1
	Total	13

Section 3. Funds in the amount of $468,330 for computer equipment pending EIPSC review and approval, space rental costs pending budget detail and related enforcement costs including specified positions are hereby placed on reserve pending release by the Finance Committee as follows:

//////////
//////////

DOCUMENTS DEPT.
SAN FRANCISCO
PUBLIC LIBRARY

01-0010 (558080)	Permanent Salaries - Miscellaneous	$ 80,921*
04-0600 (558080)	Mandatory Fringe Benefits	22,658*
02-0200 (558080)	Temporary Salaries	65,330
10-1060 (558049)	DP/WP Equipment Maintenance	13,180
10-1230 (558049)	Telephone	1,975
10-1460 (558049)	Rental of Property	38,250
11-1301 (558049)	Office Supplies	2,000
22-2201 (558080)	Automotive Vehicle	8,000
22-2231 (558049)	DP/WP Equipment	88,016
30-3080 (558049)	Services of other Departments - Public Works	48,000
30-3401 (558049)	Services of other Departments - Controller	100,000
	Total	$468,330

*Amount represents funding for one (1) 1424 - Clerk Typist, three (3) 4306 - Collection Officers, and one (1) 4334 - Investigator, Tax Collector.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C. Farrell
CONTROLLER

APPROVED: CIVIL SERVICE COMMISSION

NOV 14 1988

BY: John J. Walsh
GENERAL MANAGER, PERSONNEL

RD:chl:(#0952P)

Refused Passage for Second Reading
Board of Supervisors, San Francisco

October 17, 1988

Ayes: Supervisors Hongisto Kennedy Silver Ward

Noes: Supervisors Britt Gonzalez Hsieh Maher Molinari Nelder Walker

I hereby certify that the foregoing ordinance was refused passage by the Board of Supervisors of the City and County of San Francisco

Mary Anne Baker
ACTING Clerk

File No.
101-88-30

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 14, 1988	November 28, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Silver Walker Ward
Noes: Supervisors Maher Molinari Nelder	Noes: Supervisors Hsieh Maher Molinari Nelder
Absent: Supervisors Hsieh	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-88-30

DEC 2 1988
Date Approved

Mayor

FILE NO. 101-88-40

ORDINANCE NO. 517-88

RO #8125 SA #47

(Government Funding)

APPROPRIATING $25,000 FOR CAPITAL IMPROVEMENT PROJECT (REMOVAL OF ARCHITECTURAL BARRIERS STUDY), DEPARTMENT OF PUBLIC WORKS - ARCHITECTURE AND RESCINDING $25,000 FROM FACILITIES MAINTENANCE PROJECT (STREET REHABILITATION PROGRAM), DEPARTMENT OF PUBLIC WORKS - ENGINEERING FOR FISCAL YEAR 1988-89.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
90-06-00	Public Works - Bureau of Engineering		
21-2020(778175)	Facilities Maintenance Project		
Project 321-01	Street Rehabilitation Program	$ 25,000	
90-02-00	Public Works - Bureau of Architecture		
21-2030(772079)	Capital Improvement Project		
Project 249-01	Removal of Architectural Barriers Study		$ 25,000
	Total	$ 25,000	$ 25,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C. Farrell
CONTROLLER

OCT 26 1988

RD:chl:(#0961P)

DOCUMENTS DEPT.
DEC 13 1988
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 14, 1988	November 28, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Gonzalez Hsieh Kennedy Nelder Silver Walker Ward
	Noes: Supervisors Hongisto
Absent: Supervisors Hsieh	Absent: Supervisors Britt Maher Molinari

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-88-40

DEC 2 1988
Date Approved

Mayor

FILE NO. 101-88-42

ORDINANCE NO. 518-88

RO # 8136 SA #63

(Government Funding)

APPROPRIATING $2,800,000 FOR JUDGEMENT AND CLAIMS, MUNICIPAL RAILWAY, FOR FISCAL YEAR 1988-89.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Sub. 000006	General Reserve	$2,800,000	
48-4830 ( )	Contribution transfer out to Fund #31-001, Municipal Railway Operating #35-00-00 Municipal Railway		$2,800,000
	Total	$2,800,000	$2,800,000
31-001	Municipal Railway Operating		
35-00-00	Municipal Railway		
98-9701 ( )	Contribution Transfer in From Fund #01-001, General Fund; #99-00-00 General Fund Unallocated	$2,800,000	
14-1450 (560946)	Judgement and Claims		$2,800,000
	Total	$2,800,000	$2,800,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C Farrell
CONTROLLER

NOV 0 2 1988

lp 2551AP)

DOCUMENTS DEPT.
DEC 13 1988
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 14, 1988	November 28, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Hsieh	Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-88-42

DEC 2 1988
Date Approved

Mayor

FILE NO. 102-88-11 ORDINANCE NO. 517-88

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 11

AMENDING ORDINANCE NO. 269-88 (ANNUAL SALARY ORDINANCE, 1988/89) REFLECTING THE ADDITION OF THIRTEEN POSITIONS IN THE OFFICE OF THE TREASURER/TAX COLLECTOR.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated items and section of Ordinance No. 269-88 (Annual Salary Ordinance, 1988/89) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept.:	08 Treasurer/Tax Collector	
		Division:	03 Tax Collection	
		Section:	70 Program Budget Only	
		Program:	6228 TTX-Business Tax	
		Fund:	01001 General Fund	
		Index:	558049 TTX-Business Tax Program Budget	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	001 Permanent Salaries-Miscellaneous	
2 added	2	1404 A	Clerk....................................	SC $ 697B842
2 added	3	1424 A	Clerk Typist.............................	SC 728B878
1 added	8	1630 A	Account Clerk............................	SC 752B908
1 added	1	1844 A	Senior Management Assistant..............	SC 1279B1550
		Object:	020 Temporary Salaries	
0		1404 D	Clerk....................................	SC 697B842
0		1424 D	Clerk Typist.............................	SC 728B878
		Dept.:	08 Treasurer/Tax Collector	
		Division:	03 Tax Collector	
		Section:	70 Program Budget Only	
		Program:	6232 TTX-Delinquent Revenue	
		Fund:	01001 General Fund	
		Index:	558080 TTX-Delinquent Revenue Program	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	001 Permanent Salaries-Miscellaneous	
1 added	1	1404 A	Clerk....................................	SC 697B842
1 added	2	1424 A	Clerk Typist.............................	SC 728B878
4 added	9	4306 A	Collections Officer......................	SC 966B1169
1 added	9	4334 A	Investigator, Tax Collector..............	SC 1208B1463

/

/

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Object:	020 Temporary Salaries	
0		1424 D	Clerk Typist..........................	SC $ 728B878
0		4306 D	Collections Officer..............	SC 966B1169

/

/

/

/

/

/

/

/

/

/

/

/

/

/

/

/

/

/

/

/

DOCUMENTS DEPT.
JAN 1 3 1989
SAN FRANCISCO
PUBLIC LIBRARY

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By:
DEPUTY CITY ATTORNEY

NO. 11

Civil Service Commission
BOARD OF SUPERVISORS

Refused Passage for Second Reading
Board of Supervisors, San Francisco October 17, 1988

Ayes: Supervisors Hongisto Kennedy Silver Ward

Noes: Supervisors Britt Gonzalez Hsieh Maher Molinari Nelder Walker

I hereby certify that the foregoing ordinance was refused passage by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No.
102-88-11

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 14, 1988	November 28, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Silver Walker Ward
Noes: Supervisors Maher Molinari Nelder	Noes: Supervisors Hsieh Maher Molinari Nelder
Absent: Supervisors Hsieh	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
102-88-11

DEC 2 1988
Date Approved

Mayor

As amended in Committee 11/8/88

FILE NO. 65-88-7

ORDINANCE NO. 520-88

RO #8114

(Lease of Property)

AUTHORIZING NEGOTIATED LEASE WITH MOBIL OIL CORPORATION FOR CITY-OWNED LAND AT NORTHEAST CORNER OF PORTOLA DRIVE AND WOODSIDE AVENUE; AND TO ADOPT FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. The Director of Property recommends approval of a negotiated five-year lease with Mobil Oil Corporation, the present tenant on a "holdover" basis, as Lessee.

Section 2. The leased premises consist of approximately 14,700 square feet of City-owned land at the northeast corner of Portola Drive and Woodside Avenue in San Francisco, as depicted on Exhibit "A" of the lease on file with the Clerk of the Board.

Section 3. The recommendation for a negotiated lease rather than one awarded through a competitive bid process is necessitated by the short term of the lease which makes it impractical to request improvement removal, a re-bid of the lease and construction of a new facility.

Section 4. By letter dated September 21, 1987, the Department of City Planning reported that the lease of this land for gasoline service station purposes is in conformity with the Master Plan and that this lease does not affect the Eight Priority Policies of Section 101.1 of the City Planning Code and this Board hereby adopts said findings as its own.

Section 5. The lease with Mobil Oil Corporation is hereby approved and the Mayor and the Clerk of the Board of Supervisors are authorized and directed to execute said lease on behalf of the City.

RECOMMENDED:

Director of Property

RECOMMENDED:

Director of Public Health

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By

DOCUMENTS DEPT.
DEC 13 1988
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 14, 1988	November 28, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Gonzalez Hsieh Kennedy Nelder Silver Walker Ward
	Noes: Supervisors Hongisto
Absent: Supervisors Hsieh	Absent: Supervisors Britt Maher Molinari

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 65-88-7

DEC 2 1988

Date Approved

Mayor

As amended in Board
11/28/88

FILE NO. 52-88-3

ORDINANCE NO. 521-88

[Underground District No. 295]

AMENDING ORDINANCE 98-71 TO FIX DATES FOR REMOVAL OF OVERHEAD FACILITIES IN UNDERGROUND DISTRICT 295, YERBA BUENA CENTER REDEVELOPMENT AREA.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Ordinance No. 98-71 of the City and County of San Francisco is hereby amended to read as follows:

In accordance with the provisions of Article 18 of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground districts:

UNDERGROUND DISTRICT NO. 295

Yerba Buena Center Redevelopment Area D-1

Stage One. Tehama Street from Fifth Street to 550ft e'ly; Clementina Street from Fifth Street to Fourth Street and from Third Street to 275 ft. e'ly; Shipley Street from the west side of New Street No. 6 to the east side of New Street No. 8; Clara Street from the west side of New Street No. 6 to the east side of New Street No. 8; Verona Street from Third Street to 100 ft. e'ly; Alice Street, all: Hawthorne Street from Howard Street to Harrison Street; Second Street from Howard Street to Folsom Street;

State Two. Shipley Street from Fifth Street to Fourth Street; Clara Street from Fifth Street to Fourth Street; Perry Street from Third Street to e'ly end; Harrison Street from Fifth Street to Second Street; all of new streets Numbers 3, 4, 5, 6, and 8.

The undergrounding of facilities within this underground district is in the general public interest because these streets are within an area of civic interest and a Redevelopment Project area.

All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground district(s) is to be completed as follows:

Stage One to be completed by December 31, 1972;

Stage Two to be completed by ((December 31, 1973.)) June 1990.

11/28/88

The Board of Supervisors fixes April 30 1989 as the date on which affected property owners in the Yerba Buena Redevelopment Area D-1 District No. 295 must be ready to receive underground service and hereby orders that all poles, overhead wires and associated overhead structures be removed and underground installations made in said Underground District No. 295, within the following time:

Installation of street lights and removal of poles, overhead wires and other associated structures not later than June, 1990, which time may be reasonably extended by the Director of Public Works, with the approval of the Board of Supervisors.

11/28/88

UNDERGROUND DISTRICT NO. 296

Winfield Street, from the south line of Esmeralda Avenue to the north line of Cortland Avenue.

All work in connection with the undergrounding of facilities lying within this underground district is to be completed by December 31, 1971.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Description Approved:

Deputy Director to Engineering and City Engineer

Recommended:

for Allen B. Cooley
Director of Public Works and Clean Water Program

Chief Administrative Officer

2701g

BOARD OF SUPERVISORS

DOCUMENTS DEPT.
JAN 12 1989
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 28, 1988	December 5, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Silver Walker
Absent: Supervisors Britt	Absent: Supervisors Kennedy Nelder Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
52-88-3

DEC 8 1988

Date Approved

Mayor

Amended in Cmte. 11/14/88.
Amended in Board 11/28/88

FILE NO. 101-88-47

ORDINANCE NO. 522-88

RO # 8138 SA # 52

(Government Funding)
$173,325

1/28/88 ejp

APPROPRIATING ~~$175,110~~ FOR PERMANENT SALARIES, RELATED MANDATORY FRINGE BENEFITS, EQUIPMENT, FOR THE CREATION OF TWELVE (12) POSITIONS, ADULT PROBATION FOR FISCAL YEAR 1988-89; SUBJECT OF A PREVIOUS BUDGETARY DENIAL, PLACING $1,500 IN RESERVE.

11/14/88 BST

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION		AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund			
G.L. 496 (000026)	Unappropriated Revenue Reserved			
Subsidiary 000006	General Reserve	$173,325	~~$175,110~~	
13-01-00	Adult Probation			
01-0010 (320507)	Permanent Salaries		$71,378	~~$ 72,786~~
04-0600	Mandatory Fringe Benefits		$17,264	~~17,640~~
01-0010 (320531)	Permanent Salaries			48,439
04-0600	Mandatory Fringe Benefits			12,295
01-0010 (320549)	Permanent Salaries			16,414
04-0600	Mandatory Fringe Benefits			4,910
22-2200 (320549)	Equipment			2,625
	Total		~~$175,110~~	~~$175,110~~
			$173,325	$173,325

11/28/88 B

11/28/88 B

11/28/88 B

Section 2. Funds are hereby appropriated for twelve (12) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors' file No. 102-88-21) as follows:

FUND: GENERAL FUND
DEPARTMENT: ADULT PROBATION

CLASSIFICATION	RATE OF PAY			CREATED
8440 A Probation Officer	$1,147	B	$1,388	~~7~~ 9
~~8442 A Senior Probation Officer~~	~~1,261~~	~~B~~	~~1,528~~	~~2~~
8446 A Court Alternative Spec. I	1,088	B	1,316	1
1424 A Clerk Typist	728	B	878	1
1630 A Account Clerk	752	B	908	1
	Total			12

11/14/88 BST

Section 3. This ordinance is hereby adopted by two-thirds vote of all Members of the Board of Supervisors pursuant to the provisions of Section 6.306 of the Charter. This item was previously requested by budget estimate and denied by the Mayor.

Section 4. Funds in amount $1,500 for Equipment are hereby held in reserve until released by the Finance Committee.

11/14/88 BST

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C Farrell
CONTROLLER

NOV 04 1988

APPROVED: CIVIL SERVICE COMMISSION

BY: John J. Walsh
GENERAL MANAGER, PERSONNEL

lp-0552R

DOCUMENTS DEPT.
JAN 12 1989
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
November 28, 1988	$	December 5, 1988
	$	
	$	
Ayes: Supervisors Gonzalez Hongisto	$	Ayes: Supervisors Britt Gonzalez
Hsieh Kennedy Maher Molinari	$	Hongisto Hsieh Maher Molinari
Nelder Silver Walker Ward	$	Silver Walker
	$	
Absent: Supervisors Britt	$	Absent: Supervisors Kennedy Nelder
	$	Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-88-47

DEC 8 1988
Date Approved

Mayor

FILE NO. 102-88-21 ORDINANCE NO. 523-88

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 19

AMENDING ORDINANCE NO. 269-88 (ANNUAL SALARY ORDINANCE, 1988-89) REFLECTING THE RESTORATION OF SEVEN POSITIONS AND THE ADDITION OF FIVE POSITIONS IN THE ADULT PROBATION DEPARTMENT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated items and section of Ordinance No. 269-88 (Annual Salary Ordinance, 1988-89) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Dept.: 13	Adult Probation	
		Division: 01	General	
		Section: 00	General	
		Program: 1603	Adult Probation Supervision	
		Fund: 01001	General Fund	
		Index: 320507	Prob Community Services-G/F	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Miscellaneous	
11/14/88 6				
4 added	28	8440 A	Probation Officer	Z $1147B1388
~~2 added~~	~~17~~	~~8442 A~~	~~Senior Probation Officer~~	~~Z 1261B1528~~
		Dept.: 13	Adult Probation	
		Division: 01	General	
		Section: 00	General	
		Program: 1611	Pre-Sentencing Investigation	
		Fund: 01001	General Fund	
		Index: 320531	Adult Probation-G/F	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Miscellaneous	
3 added	13	8440 A	Probation Officer	Z 1147B1388
1 added	3	8446 A	Court Alternative Specialist I	Z 1088B1316
		Dept.: 13	Adult Probation	
		Division: 01	General	
		Section: 00	General	
		Program: 7131	Administration-Adult Probation	
		Fund: 01001	General Fund	
		Index: 320549	Adult Probation Administration	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Miscellaneous	
1 added	8	1424 A	Clerk Typist	7288878
1 added	3	1630 A	Account Clerk	7528908

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

John J. Walsh
MUNICIPAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey

JAN 12 1989
SAN FRANCISCO PUBLIC LIBRARY

Passed for Second Reading

Board of Supervisors, San Francisco

November 14, 1988

Ayes: Supervisors Britt, Gonzalez, Hongisto, ~~Hsieh~~, Kennedy, Maher, Molinari, Nelder, Silver, Walker, Ward.

~~None Supervisors~~

Absent: Supervisors HSIEH

John L. Taylor Clerk

DEC 8 1988

102-88-21
File No. Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

December 5, 1988

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, ~~Kennedy~~, Maher, Molinari, ~~Nelder~~, Silver, Walker, ~~Ward~~

~~None Supervisors~~

Absent: Supervisors KENNEDY NELDER WARD

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Mayor

FILE NO. 124-88-15 ORDINANCE NO. 524-88

(Curb Parking Regulations - Yellow Zones - Metropolitan Traffic District)

AMENDING ARTICLE 3 OF PART II, CHAPTER XI, SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY AMENDING SECTION 38 B RELATING TO THE DEPOSITING OF COINS INTO METERS IN YELLOW ZONES IN THE METROPOLITAN TRAFFIC DISTRICT.

Note: Additions or substitutions are underlined: Deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 3 of Part II, Chapter XI, San Francisco Municipal Code (Traffic Code) is hereby amended by amending Section 38.B. to read as follows:

Section 38.B. Curb Parking Regulations - Yellow Zones - Metropolitan Traffic District. No person shall stop, except for the purpose of loading or unloading passengers or freight, in a yellow curb marking within the Metropolitan Traffic District between the hours of 7:00 a.m. and 6:00 p.m.,, or in such yellow curb marking where a longer period has been designated and signs posted apprising persons of such change, on any day except Sundays, in excess of a period of three minutes for passenger vehicles or 30 minutes for commercial vehicles. Passenger vehicles shall not be stopped in yellow zones under any circumstances between the hours specified or as extended except while the operator is in attendance.

The zones shall be posted with signs giving notice of the stopping, standing and parking restrictions effective in the zone, and shall have parking meters permitting a maximum parking time of 30 minutes. Denomination of the coin or coins that shall be deposited in these parking meters, the parking time allowed following deposit of such coins, and the hours during which such deposits are required shall be those set for all other parking meters in the same parking meter area or areas.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore Lakey
Deputy City Attorney

DESCRIPTION APPROVED:

Scott A Shoaf
Deputy Director for Operations

RECOMMENDED:

Director of Public Works

APPROVED:

Chief Administrative Officer

DOCUMENTS DEPT.
JAN 1 3 1989
SAN FRANCISCO
PUBLIC LIBRARY

As amended in Board 11/28/88

FILE NO. 344-88-1

ORDINANCE NO. 525-88

(Fire Alarm System Permit)

GRANTING A PERMIT TO THE CALIFORNIA FIRE SECURITY INC. TO CONNECT SUCH AUXILIARY FIRE ALARM SYSTEMS AS MAY BE APPROVED BY THE GENERAL MANAGER, DEPARTMENT OF ELECTRICITY, TO THE MUNICIPAL FIRE ALARM SYSTEM AND TO MAINTAIN THE SAME IN ELECTRICAL-MECHANICAL CONNECTION THEREWITH THROUGH THE MEDIUM OF MASTER FIRE ALARM BOXES AND STIPULATING THE CONDITIONS, RESTRICTIONS, AND REQUIREMENTS UNDER WHICH THE SAID PERMIT IS GRANTED.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The California Fire Security Inc. (hereinafter referred to as "Company"), is hereby granted a permit subject to the conditions, restrictions and requirements hereinafter contained; to connect auxiliary fire alarm systems to the Municipal Fire Alarm System and to maintain in electrical-mechanical connection therewith, through the medium of master fire alarm boxes, such auxiliary fire alarm system as may be installed and maintained by the Company in buildings within the City and County of San Francisco as may be approved by the General Manager, Department of Electricity (hereinafter referred to as "General Manager").

Section 2. The Company shall make application in writing to the General Manager for each and every such connection desired, and before beginning the installation of the particular auxiliary fire alarm system for which such connection is desired. The application shall state plainly the name and address of both owner and tenant and the location of the building in which the particular fire alarm system is to be installed, the type of system proposed, the purpose for which the building will be used, the location of the terminals of the particular system, and such other essential information regarding the proposed installation as may be required.

Section 3. The General Manager shall first determine whether the desired connection shall be approved and, if said connection is approved, shall then determine and designate the nearest municipal fire alarm circuit to which it is feasible to make the desired connection and the point thereon at which the connection shall be made, or the point thereon from or to which shall be constructed any extension thereof or thereto that may be required in order to make said connection, the location of the wires and cables of any such extension, the particular route that shall be followed in constructing the extension, and the class and type of construction, conformable to the standards of the Department of Electricity (hereinafter referred to as "Department"), that shall be used in making the extension, and ~~he~~ shall, in accordance therewith, make and furnish to the Company an estimate of the cost of making such connection, or such extension and connection. Upon the written order of the Company, the Department shall proceed to make the said connection, or extension and connection. Upon the completion or abandonment, at request of the Company, of the construction of said connection, or extension and connection, the Company shall, within 10 days after notification by the Department of the cost of said construction, or so much thereof as was completed before abandonment, pay said cost to the Department.

Section 4. It is hereby distinctly stipulated and understood, as a condition precedent to the granting of this permit, and as a covenant thereof, that all master fire alarm boxes, conduits, cables, wires, poles, crossarms, and other appurtenances that shall be constructed or installed, at the expense of the Company, for the purpose and as a part of each and

DOCUMENTS DEPT.
JAN 1 9 1989
SAN FRANCISCO
PUBLIC LIBRARY

every extension that may be made under the provisions of this permit, to a Municipal fire alarm circuit for affording connection to any Company auxiliary fire alarm system installation, and that shall be located outside of the private property line of the premises whereon the said auxiliary fire alarm system is installed, or intended to be installed, and that shall be located in, under, over, or upon any public street, lane, alley, sidewalk, or other public place, or right-of-way granted to the City and County of San Francisco for fire alarm circuits, shall immediately upon construction, or installation, become, and shall thereafter remain, the property of the City and County of San Francisco. The Company shall not, at any time, have any claim upon or any right, title or interest in the said master fire alarm boxes, conduits, cables, wires, poles, crossarms and other appurtenances further than the right to maintain in electrical-mechanical connection such auxiliary fire alarm system as may be approved by the General Manager pursuant to the provisions of this Permit.

Section 5. If, at any time, the City and County of San Francisco shall for any reason abandon or change from aerial to underground, or change from underground to aerial, or in any way change the location of, or otherwise in any manner, or respect, change, or alter any Municipal fire alarm circuit and if such abandonment, change, or alteration of the Municipal circuit shall then or thereafter involve and necessitate any addition to, or change in, any master fire alarm boxes, conduits, cables, wires, poles, or other appurtenances of any connection to any Company auxiliary fire alarm system, or of any extension of, or to the said Municipal fire alarm circuit used for affording such connection, or if for any other good and sufficient reason it shall, at any time in the judgment of the City and County of San Francisco, become

necessary to change from aerial to underground, or from underground to aerial, or otherwise make any change in the location, or in the class or type of construction of all, or any part of any master fire alarm boxes, conduits, cables, wires, poles, or other appurtenances of any connection to any Company auxiliary fire alarm system, or of any extension of or to any Municipal fire alarm circuit used for affording such connection, and if the Company shall desire to continue in service the said connection to the said system, then such addition, or change, or both, shall be made by the Department at the expense of the Company after an order to cover the cost thereof shall have been made as hereinabove stipulated; provided, however, that if, for any reason, it shall have become necessary and essential for the City and County of San Francisco to use any portion of such master fire alarm boxes, conduits, cables, wires, poles, or other appurtenances of any such extension in order to provide connection to one or more street fire alarm stations and if the City and County of San Francisco shall be actually so using, and shall desire to continue to so use, said portions of said conduits, cables, wires, poles, or other appurtenances of said extension, then the Company shall be required to pay for making such addition to, or change only in so far as the remaining portion of said conduits, cables, wires, poles, or other appurtenances of said extensions shall not be essential to said Municipal street fire alarm station or stations. If the Company shall not desire to continue in service, the said connection to the said system, then the City and County of San Francisco shall make such disposition as it shall see fit of the said master fire alarm boxes, conduits, cables, wires, poles and other appurtenances of said extension.

Section 6. Every installation of the Company of such

auxiliary fire alarm systems as may be approved by the General Manager made in the City and County of San Francisco, shall conform in every respect to all of the rules and regulations prescribed by the National Board of Fire Underwriters, the Pacific Fire Rating Bureau, and the General Manager. Inspections shall be made monthly by competent, authorized representatives of the Company who shall maintain the equipment in safe and reliable operating condition. Records of such maintenance and inspection shall be maintained and be made available to the General Manager upon request.

Section 7. If, at any time, any installation of a Company auxiliary fire alarm system shall, in the judgment of the General Manager, be in a condition involving imminent danger to, or in any way interfere with the safe and reliable operation of the Municipal Fire Alarm System, or of any part thereof, the General Manager shall thereupon immediately have such installation disconnected from the Municipal System and it shall not again be connected thereto until it shall have been put in thoroughly safe and satisfactory condition. In every instance of such disconnection, the General Manager shall give prompt notice thereof to the Company and to the tenant of the premises whereon the particular auxiliary fire alarm system so disconnected is installed.

Section 8. The Company shall make notice in writing to the General Manager, for each and every connection to be permanently disconnected and such notice shall state plainly the name and address of both owner and tenant, and the location of the building in which the particular fire alarm system is being terminated, giving date of termination and the location of the Municipal fire alarm box involved and such other essential information regarding the said termination as may be required.

Section 9. This permit is not exclusive and does not in any

way limit or abridge the rights and powers of the Board of Supervisors of the City and County of San Francisco to grant franchises or issue such other permits as shall seem to it advisable.

Section 10. This permit shall not be transferred or assigned without prior approval of the Board of Supervisors of the City and County of San Francisco granted by ordinance upon the recommendation of the General Manager, with the approval of the Chief Administrative Officer.

Section 11. In the event of the abandonment by the City and County of San Francisco of the Municipal Fire Alarm System, this permit shall thereupon automatically terminate.

Section 12. The Company shall indemnify, save harmless and defend the City and County of San Francisco, and all of its officers, agents and employees, against any and all liabilities for injuries to or death of any person, or any injury to any property arising out of any acts in connection with this permit on the part of Company, its officers, agents or employees, or any contractor or subcontractor retained by, or on behalf of, it, or the officers, agents or employees of any of the same. The Company shall further indemnify, save harmless and defend the City and County of San Francisco, and all of its officers, agents and employees, against any and all liability arising by reason of any claims or demands of contractors or subcontractors retained by, or on behalf of the Company, or by reason of any liens or other claims which may be filed by, or on behalf of, any of the same, or by, or on behalf of, any other person, regarding this permit.

Section 13. The Company shall, within thirty (30) days after the date that the ordinance granting this permit becomes effective, file with the Controller, and at all times thereafter maintain in

full force and effect for the entire term of the permit, at its expense, a faithful performance bond executed by a surety company approved by the Controller and in form satisfactory to the City Attorney of the City and County of San Francisco, in the amount of ten thousand dollars ($10,000), renewable annually and conditioned upon the faithful performance by the Company of all of the terms, conditions and covenants contained in said permit, and that in the event the Company shall fail to comply with any one or more of the provisions of this permit, then there shall be recoverable jointly and severally from the principal and surety of such bond, any damages or losses suffered by the City and County of San Francisco as a result thereof. Said bond, without limiting the applicability of the foregoing provisions, shall guarantee payment of the cost of any and all connections, and extensions and connections, referred to in Section 3 of this permit. Said bond shall provide that thirty (30) days' prior written notice of cancellation, material change or intention not to renew said bond be given to the City and County of San Francisco. Neither the provisions of any bond accepted by the City and County of San Francisco pursuant hereto, nor any damages recovered by the City and County of San Francisco thereunder, shall be construed to excuse faithful performance, or limit the terms, conditions and covenants of this permit, or limit the liability of the Company, or preclude exercise of any other right or remedy given to the City and County of San Francisco by law, whether exercised concurrently or subsequently.

Section 14.

(a) The company agrees that at all times during the duration of this permit and, further, during any time when it is exercising any privilege thereunder, it will, at its own expense, maintain in force, furnish to City and file with the Chief

Administrative Officer, a general comprehensive liability insurance policy or policies, in protection of City, members of its boards and commissions, and its officers, agents and employees and the Redevelopment Agency of the City and County of San Francisco, its members, officers, agents and employees, in a company approved by the Controller and in form satisfactory to the City Attorney of City, protecting the City, said Agency, and said persons against liability for loss or damages for bodily and personal injury, death and property damage occasioned by the operations of the Company under this permit, with a minimum liability limit of $1,000,000 for each of the above categories of liability. Said policy or policies shall be comprehensive in form and shall cover all operations of Company in connection with this permit, including, but not limited to, automobile, products, and contractual liability coverage. Said policy or policies shall state that the insurance furnished thereunder shall operate as primary insurance and that no other insurance maintained by the City and County of San Francisco or the Redevelopment Agency will be called upon to contribute to any loss thereunder. Said policy or policies shall further furnish personnel injury coverage with the contractual liability exclusion eliminated.

(b) The policy or policies mentioned in the foregoing paragraph shall contain a provision that a written notice of any cancellation or reduction in coverage of said policy or policies shall be delivered to the City thirty (30) days in advance of the effective date thereof. If such insurance is provided in either case by a policy or policies which also cover Company or any other entity or person than those above named, then such policy or policies shall contain the standard cross-liability endorsement.

Section 15. It is agreed by the parties hereto that this

permit is not for the benefit of any person, and no person, corporation or other entity, except the parties hereto, shall have any right or interest in, or under, this permit, except as expressly provided herein.

Section 16. The Company expressly waives any and all claims for compensation for any and all loss or damage sustained by reason of any failure, defect, deficiency or impairment of the Municipal Fire Alarm System, or any part thereof, or of any other system connected thereto, including any and all installations of the Company made pursuant to this, or any prior permit, or arising from any other cause, not limited to the foregoing, in connection with the activities of the Company under this permit. The Company hereby expressly releases and discharges the City and County of San Francisco, and its officers, agents and employees from any and all demands, claims, actions and causes of action arising from any of the causes aforesaid.

Section 17. It is understood and agreed that this permit does not constitute a franchise granted by the City and County of San Francisco and that no franchise rights are conferred hereunder. The Company shall enjoy only those rights and privileges which are specifically enumerated in and granted by this permit. Any privilege claimed under this permit by the Company in any street or alley or public place shall be subordinate to any lawful occupancy of same by the City, and to any prior lawful occupancy of same by any other entity or person. The Company, at its expense, shall protect, support, temporarily disconnect, relocate in, on, under or over any street, alley or public place, or remove from any street, alley or public place any property when required by the Director of Public Works by reason of traffic conditions, change or establishment of street grade, installation

of sewers, drains, water pipes, power lines or tracks or any other type of structures or improvements by the City and County of San Francisco or other governmental agencies when acting in a governmental or proprietary capacity, or for any public improvement, not limited to the foregoing, or any character whatever. The Company shall not have the right, or privilege, to use, nor shall it be permitted to use, the conduit, or pole facilities belonging to the Department; neither shall it be permitted to use the conduit or pole facilities granted, or furnished to the Department by any person, firm, or corporation by reason of franchise requirements, or otherwise, regardless of whether such facilities are at the time used or unused by the Department.

Section 18. The Company shall pay to the Department a monthly rental charge of $2.50 for each master fire alarm box electrical-mechanical connection as provided for the auxiliary fire alarm system provided herein, or as may hereafter be prescribed in any future amendment or modifications thereof.

Section 19. The Company shall file a written acceptance of this permit with the Clerk of the Board of Supervisors of the City and County of San Francisco within thirty (30) days after the date that the ordinance granting this permit becomes effective. This permit shall go into effect only when such acceptance has been filed, and when the faithful performance bond and general comprehensive liability insurance policy provided for by this permit have been filed and approved as required herein.

Section 20. This permit shall supersede any and all prior permits granted to the Company as of the effective date herein.

Section 21. This permit shall continue in full force and effect, unless and until revoked by the City and County of San

Francisco or surrendered by the Company upon the giving of thirty (30) days' prior written notice.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By _____
Deputy City Attorney

RECOMMENDED AND APPROVED:

_____
General Manager
Department of Electricity

_____
Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 28, 1988	December 5, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Silver Walker
Absent: Supervisors Hongisto	Absent: Supervisors Kennedy Nelder Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
344-88-1

DEC 8 1988
Date Approved

_____
Mayor

FILE NO. 352-88-1 ORDINANCE NO. 526-88

(Transfer of Fire Alarm Permit)

TRANSFERRING THE PERMIT ISSUED IN ORDINANCE NUMBER 510-60 FROM PACIFIC FIRE EXTINGUISHER COMPANY TO NATIONAL GUARDIAN CORPORATION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Upon the recommendation of the General Manager of the Department of Electricity and with the approval of the Chief Administrative Officer, the Board of Supervisor of the City and County of San Francisco approves the transfer of the permit issued to the Pacific Fire Extinguisher Company by Ordinance Number 510-60 to the National Guardian Corporation.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

RECOMMENDED:

_____
General Manager of the
Department of Electricity

APPROVED:

_____
Chief Administrative Officer

DOCUMENTS DEPT.
JAN 12 1989
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 28, 1988	December 5, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Silver Walker
Absent: Supervisors Hongisto	Absent: Supervisors Kennedy Nelder Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
352-88-1

DEC 8 1988
Date Approved

_____
Mayor

FILE NO. 27-88-35 ORDINANCE NO. 527-88

(AIRPORT-LAND LEASE)

APPROVING THE "LEASE OPTION FOR THE LEASE AT SAN FRANCISCO INTERNATIONAL AIRPORT" BETWEEN CHEVRON U.S.A., INC., AND THE CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO: SECTION 1: Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the "Lease Option for the Lease at San Francisco International Airport" between Chevron U.S.A., and the City and County of San Francisco, acting by and through its Airports Commission. The Lease Option was approved by Airports Commission Resolution No. 88-0164, adopted September 20, 1988.

APPROVED AS TO FORM:

LOUISE H. RENNE
CITY ATTORNEY

BY: Donald J. Kimball
Airports General Counsel

DOCUMENTS DEPT.
JAN 4 1989
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 5, 1988	December 12, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Maher Molinari Nelder Silver Walker	Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Hongisto Ward Kennedy	Absent: Supervisors Britt Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 27-88-35

DEC 16 1988
Date Approved

Mayor

AS AMENDED IN COMMITTEE
11/29/88

FILE NO. 32-88-1

ORDINANCE NO. 528-88

(CABLE TELEVISION FRANCHISE REVISIONS)

AMENDING ORDINANCE NO. 105-64 BY AMENDING SECTIONS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, AND DELETING SECTIONS 25(a) AND 25(b), RELATING TO CABLE TELEVISION FRANCHISE, BY REFINING AND INCREASING THE DUTIES OF THE GRANTEE, AND BY EXTENDING THE CONSTRUCTION PROGRAM DEADLINE BY TWO YEARS THROUGH DECEMBER, 1990.

NOTE: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Sections 1 through 24 of Ordinance No. 105-64 are hereby amended to read as follows:

SECTION 1. That there is hereby created by the City and County of San Francisco (hereinafter called the City), to Television Signal Corporation, a California corporation (hereinafter called Grantee), and its successors and assigns, for a period of twenty-one (21) years from the effective date of this ordinance, the right, power, authority, and privilege to conduct the business of, and to build, construct, equip, own, maintain, and operate in, or on, or under, or over, the present and future streets, alleys, and other public places in the City, wires, lines, poles, arms, cables, appurtenances, fixtures, and other apparatus for the purpose of operating and conducting, a Community Antenna System as defined in Section 19 hereof.

There is hereby granted the further right, power, authority, and privilege to the Grantee to lease, rent, or in any other manner obtain the use of, and use, within the corporate limits of the City, such wires, lines, poles, arms, cables, appurtenances, fixtures, and other apparatus from any and all holders of public permits, public licenses or franchises granted by the City or by any other source and to use such wires, lines, poles, arms, cables, appurtenances, fixtures, and other such apparatus, subject to all the terms and conditions of this franchise, and to the extent that they shall not conflict with this franchise, or any such permit, license, resolutions, and regulations of the City.

There is also granted the right to buy, purchase, lease, erect, equip, maintain, own, or operate such plants, machinery, equipment, or buildings as are necessary to maintain and operate such Community Antenna System, and the right to buy, hold, own, or lease any and all real estate necessary to conduct such business.

This franchise, and each and every provision thereof, shall also be applicable to any and all facilities installed or operated by Grantee before the effective date of this franchise.

(a). The Board of Supervisors shall establish a Telecommunications Policy Committee (hereinafter the Committee).

The Committee shall consist of no more than nine (9) people and represent cable television subscribers and other public members, the Grantee, representatives of the education community, and agencies of the City.

The Committee shall meet on a monthly basis or as deemed necessary and review the Grantee's service within the community and make recommendations to the Board of Supervisors relative to changes in service.

The Committee will also review specific issues at the direction of the Board of Supervisors.

SUPERVISOR _____

DOCUMENTS DEPT.
JAN 4 1989
SAN FRANCISCO
LIBRARY

It is directed to ascertain community needs and concerns relative to CATV by methods including but not limited to the following:

1. polling of subscribers and non-subscribers when the Committee finds that such polls are needed in furtherance of resolving issues and questions of importance; and when the Board of Supervisors funds such polling; and when the information likely to be obtained is significant enough to serve the television interests of the City or of the public.

2. consulting with community leaders and representatives.

3. reviewing unresolved complaints as deemed appropriate by the Committee to ascertain whether the complaints raise service policy questions.

4. review the construction plan and the Grantee's compliance with same.

5. Analyze the state-of-the-art, including telecommunications construction, reception and programming equipment and resources.

(b). The Committee shall make an annual report to the Board of Supervisors.

At three year intervals after and beginning with December 1, 1981, the Committee shall propose changes in the franchise agreement and shall present its recommendations to the Board of Supervisors to amend the franchise agreement.

Amendments shall reflect service requirement changes based on advances in technology or demonstrated community needs.

They shall be substantive in nature, affecting a significant number of subscribers and shall be within the authority of the City and County of San Francisco.

The Grantee shall be required to conform to these amendments, if adopted, within reasonable time period unless the Grantee is in substantial compliance by alternative means; provided, however, that the time for commencement or completion of any such modification shall be excused by any delay resulting from labor strikes, material shortages, governmental restrictions, fire, acts of God or any other matter beyond the reasonable control of Grantee.

If compliance with the amendments will have a significant negative financial impact upon the Grantee, compliance must commence when commensurate rate revisions are authorized, provided such rates and service modifications are in the best interest of existing subscribers.

If the Board of Supervisors shall make a finding that the franchise amendment was prompted by a situation which was the result of imprudence on the part of Grantee, performance shall be required without a commensurate rate increase relative to the imprudence.

In case of dispute or questions of interpretation of this section the matter will be decided by arbitration as outlined in Section 17(c).

SECTION 2. The Grantee shall at all times make and keep in the City full and complete plans, maps, and records showing the exact location of all Community Antenna System equipment installed in streets, alleys, and other public places in the City.

The Grantee shall file with the Director of Public Works, the Chief of the Department of Electricity, and the Committee, and the Assessor, on or before the first Monday in March of each year, a ((current map or)) set of system design maps produced in an easy-to-read format and ((drawn to scale, to be designated by the

Director of Public Works,)) showing all Community Antenna System equipment installed in streets, alleys, and other public places of the City during the previous year, except that during the first year of this franchise, said file shall include all such equipment previously installed or operated, whether prior to or after the effective date of this franchise.

(a). Construction by the Grantee shall be undertaken within the franchise area after December 9, 1978 which will extend cable service to all areas of the City and County of San Francisco (hereinafter referred to as the "City"), under a construction plan developed mutually by the Grantee and the City.

Within 30 days from December 21, 1980, the Grantee will make application to the appropriate agencies required and will complete said construction of all residential areas as defined in the construction plan within ((eight)) ten years from the effective date of this ordinance.

The residential areas in which the construction plan will be performed are identified by the map attached hereto as ((Exhibit C)) Exhibit E. The construction plan is by reference expressly incorporated herein and made a part hereof as though fully set forth herein.

Within the designated construction period the Grantee shall submit a detailed report to the Chief Administrative Officer, the Committee, and the Mayor's Office on a quarterly basis, commencing with the first quarter after the effective date of this ordinance detailing the progress which has been made on the approved construction plan. Commencing with the first quarter after January 1, 1989, the Grantee shall submit a quarterly report detailing the progress which has been made on the system rebuild.

The quarterly report shall include the number of street miles of wiring completed during the quarter in each wiring district and the number of homes passed as a consequence; and the number of subscribers in the wiring district. It shall also include the total miles of street in the wiring district; the number of homes yet to be passed in the wiring district; and a description of any pockets of inaccessibility.

The Grantee will further submit a plan to the Chief Administrative Officer and the Committee by December 1st of each year outlining construction plans and a schedule for the following year's construction.

The Committee's annual report to the Board of Supervisors shall include a section concerning the Grantee's compliance with the construction plan during the preceding calendar year.

The Grantee may only deviate from the construction plan with the consent of the Board of Supervisors or its designated authority. The Committee may also propose changes in the construction plan.

The Grantee shall request changes in the construction plan by first presenting the proposal to the Committee which shall make recommendations to the Board of Supervisors concerning the merits of the requested changes.

Amendment of the construction plan is not limited to the three-year intervals described in Section 1(b). The plan may be amended as needed to provide cable television service for residents in areas which were not populated at the time that the earlier construction plans were agreed upon; to enable the Grantee to deal with shifts in the location of population; to enable the City to provide for the wiring of

11/29/88
e

public buildings which are outside the perimeter of construction plans to date (e.g. the Hall of Justice); and as otherwise needed to provide full cable service in the City. Amendments of the construction plan that require the grantee to extend cable service beyond the areas designated in Exhibit E shall be applicable only if the following provisions for cable television service are provided to the grantee:

1. Access to multi unit dwellings is granted by property owner, condominium association or other agent in control of the building. Grantee shall use best efforts to gain such access.

2. All necessary duct installation and internal wiring shall be provided to the Grantee's specifications by the property owner, or condominium association when extensions are made into new residential units. City and Grantee will attempt to notify prospective developers of this policy.

Consent is granted to revise the construction plan in accordance with ((Exhibit C)) Exhibit E attached hereto.

((Exhibit C)) Exhibit E is by reference expressly incorporated herein and made a part hereof as though fully set forth herein.

The Grantee, accepting the provisions of this ordinance will further agree to the following:

2(a)(1).((1.)) The system to be constructed will be capable of delivering, as specified by the manufacturer, a minimum band width of 400 MGHz or 52 channels.

The system shall further have the capability of two-way transmission((.)) modulated broadband video. Two-way capability means that the cable system has the potential to receive a signal

at a location on the cable system on a set frequency and to transmit that signal in the upstream direction from that location to the system's headend. Where specific applications of this technology prove economic for the Grantee, the Grantee may install and activate the necessary electronic modules to provide the operational upstream path to the cable system's headend.

At least one municipal and one educational headend shall be provided with the necessary modulators and amplifiers, at no cost to the City, school districts or universities, and shall be installed according to technical standards which fulfill criteria set by the Committee and meeting FCC requirements. A "headend" is defined as the point of origination for upstream transmission of educational and municipal programming to the Grantee's central headend.

No charge shall be made to the City, school districts or universities for such transmission of programming or for other signals sent from the educational and municipal programming origination points to the home or the public subscriber. Maintenance to insure continuous operation of the modulators, amplifiers, cabling and all other property installed by the Grantee shall be provided at no expense to the City, school districts or universities.

MUNICIPAL/EDUCATIONAL ACCESS CHANNEL TIME:

Between January 1, 1989 and December 31, 1990 the Grantee shall provide cablecasting channel time from 5 a.m. to 5 p.m. subject to fluctuations in the program day of the primary programming service on the designated channel to be used exclusively for municipal and San Francisco Unified School District access programming.

Beginning September 30, 1988, the Grantee shall, upon 90 days advance written notice from the municipal access programmer, make all technical provisions to carry the municipal access signal on the cable system.

Grantee shall upon notice from the municipal access programmer make production and editing facilities available for use within regular business hours so long as it does not conflict with the Grantee's operations or previously scheduled use of such facilities. If a conflict exists, the Grantee shall provide a schedule of available times.

In the event the municipal access programmer has a special need for evening programming hours prior to completion of the system rebuild, the Grantee shall make time available on a locally originated channel unless in conflict with Grantee's editorial policy or existing programming commitments and subject to reasonable notice to accommodate scheduling and other programming commitments.

EQUIPMENT AND SIGNAL/IMAGE QUALITY STANDARDS:

Viacom shall provide, maintain, and upgrade all necessary communications transportation equipment and systems to carry video signals from any video source at the municipal and educational headends to the cable subscriber, maintaining at least NTSC/EIA signal carriage standards including one volt peak-to-peak. Such equipment and systems shall consist of, but not be limited to, all necessary modulators, amplifiers, and signal carriers to transport signals emanating from sources provided by the programmer including but not limited to the following: a three camera color switcher/special effects generator; 3/4", VHS, and Super VHS playback and record units; and an Amiga (videotext) output.

The cable television transportation systems shall be based upon Plan A: Interim Cable TV Transportation Plan between January 1, 1989 and December 31, 1990; and after January 1, 1991, shall be based upon Plan B: Final Cable TV Transportation Plan. By January 1, 1989, Grantee, at its expense, will establish operational links from the John O'Connell KALW TV studio headend to the Grantee's Sutro headend and a separate operational link from City College of San Francisco Broadcasting Department headend to the Grantee's Sutro headend.

Plan A: Interim Cable TV Transportation Plan means the Grantee shall, as of January 1, 1989, cablecast all municipal programming on the designated channel described in the Section above, Municipal/Educational Access Channel Time. If the municipal programmer demonstrates to the satisfaction of the Clerk of the Board of Supervisors the necessity of having simultaneous channel carriage, the Grantee shall activate one such channel, regardless of the number of households capable of receiving 52 channels, until December 31, 1990.

In addition, if the San Francisco Unified School District educational programmer demonstrates to the satisfaction of the Clerk of the Board of Supervisors the necessity of having simultaneous channel carriage, the Grantee shall activate one such channel, regardless of the number of households capable of receiving 52 channels, until December 31, 1990.

Plan B: Final Cable TV Transportation Plan means the Grantee shall, as of January 1, 1991, or at the time of completion of the system rebuild, whichever is earlier, activate one channel designated by the Grantee for exclusive municipal access programming use for 24 hours/day, 7 days/week signal carriage from the John O'Connell KALW headend site to the Grantee's Sutro

headend site regardless of the number of households capable of receiving 52 channels.

In addition, Plan B means the Grantee shall, as of January 1, 1991, or at the time of completion of the system rebuild, whichever is earlier, activate one channel designated by the Grantee for exclusive educational access programming use for 24 hours/day, 7 days/week signal carriage from the John O'Connell KALW headend site and the City College headend site, to the Grantee's Sutro headend site regardless of the number of households capable of receiving 52 channels.

The Grantee shall be permitted to utilize these channels only under the guidelines set forth by the Cable Communications Act of 1984, S.66.

All public, educational, and municipal access signal carriage shall be at no cost to any public, educational, or City and County agency. No operational access charges shall be applied 24 hours per day, 7 days/week, to interim access channel time arrangements and/or the designated channels to be activated by January 1, 1991 or earlier.

If the City approves a change in the municipal headend site, Viacom agrees to transfer the municipal headend including any and all changes to the transportation systems and equipment to a site selected by the City at no cost to the City, provided the new location is within a three-block radius of City Hall. Subsequent change shall be at the Grantor's expense.

(a)(2).((2.)) The cable components and the ancillary equipment in the existing system will be modified so that the subscriber areas where cable currently exists will receive the same scope of service as indicated above.

Throughout the term of the franchise, all new and replacement construction will be accomplished with the then current state-of-the-art equipment.

(a)(3).((3.)) For the term of the franchise, regardless of Federal Communications Commission regulations which currently or may in the future limit the franchise fee to a lesser amount, Grantee or its successors will agree to pay the City a 5% franchise fee on gross revenue as defined in Section 8 of Ordinance No. 105-64.

The City may renegotiate the fee at its option in the event changes in state law and federal regulations permit higher fees.

Higher fees will be based on then current franchise fees in similar jurisdictions.

Renegotiation can only be at five year intervals commencing on December 1, 1985. If the City and Grantee fail to agree on an increased fee the matter will be decided via arbitrator as outlined in Section 17(c) herein.

(a)(4).((4.)) The Grantee will continue to provide an opportunity for public expression by the continuation of community programming ((as now available)) on Cable Channel 6; and public access ((as now available)) on Cable Channel 25; and will guarantee the continued operation of the Channel 6 color television studio, and the Channel 25 television studio, properly equipped and supported by trained personnel for the purpose of local, community-oriented programming on both channels.

The Grantee's support shall include performing the acts described in the appendices referred to below in this section. The appendices are incorporated by reference into this section and are a part of the franchise.

The Grantee's support shall include providing the production and playback facilities, studio size, office space and other facilities described in Appendix 1; meeting the equipment and signal/image quality standards described in Appendix 2; providing the studio equipment and field production equipment described in Appendix 3; meeting the repair and maintenance of equipment standards described in Appendix 4; establishing the hours of operation described in Appendix 5; providing the staff described in Appendix 6; offering the training described in Appendix 7; adhering to the policies described in Appendix 8; and making available the records and documents described in Appendix 9.

The Grantee shall provide channels for municipal and educational access, not to exceed two channels of 52 channels, and an additional 10% of any channels in excess of 52 channels.

In order to effectuate public access, Grantee shall provide service to schools, universities and public buildings at no cost, including free cable connection and subscriber fees.

(a)(5).((5.)) The Grantee will, after the effective date of this ordinance, subject to zoning restrictions and technical feasibility, construct a satellite antenna in San Francisco for the purpose of receiving satellite programming.

(a)(6).((6.)) For the term of the franchise, regardless of Federal Communications Commission regulations or State law which currently or may in the future permit the deregulation of basic subscriber rates, basic subscriber rates shall continue to be set by ordinance of the Board of Supervisors.

SECTION 3. The Grantee shall indemnify, save harmless, and defend the City, its boards, commissions, officers, agents, and employees, against any and all liabilities for injury to or death of any person or any injury to any property caused by the Grantee,

its officers, agents, or employees in the construction, operation, or maintenance of its property, or arising out of the exercise of any right or privilege under this franchise.

SECTION 4(a). All installation shall be of a permanent nature, durable and installed in accordance with good engineering practice and shall comply with all existing and future City ordinances, resolutions, regulations, and orders so as not to interfere in any manner with the rights of the public or individual property owner, and shall not interfere with the travel and use public places or facilities by the public and during the construction, repair or removal thereof, shall not construct or impede traffic.

Any transmission facilities of or utilized in connection with, a Community Antenna System anywhere in the City, whether on public or private property, shall consist of coaxial cables having low radiation characteristics, as satisfactory to and approved by the Chief of the Department of Electricity of the City.

The use of any open wire lines is prohibited in the City, on public or private property.

The Community Antenna System and any facilities utilized in connection therewith, whether on public or private property, shall be installed and operated in such a manner as not to cause interference with the operation of any public safety, radio stations or systems or other radio stations or systems operated by the City.

Should any such interference develop, the Chief of the Department of Electricity may require that any or all operations of Grantee under this franchise be immediately suspended and be not resumed until the cause of such interference has been corrected to the satisfaction of the Chief of said Department.

The Chief of said Department or his representatives shall have the right to enter any and all premises and make any suitable tests in the enforcement of this provision.

(b). Grantee shall comply with all provisions of Article II of Chapter III of Part II of the San Francisco Municipal Code (the Electrical Code, Ordinance No. 6595 (Series of 1939) governing underground placement of facilities in Underground Districts, as said provisions now exist or as they may be hereafter amended.

It is agreed, any language in said ordinance notwithstanding, that the Community Antenna System facilities shall be subject to all terms and conditions of said Underground District ordinance to the same extent as though such facilities were expressly enumerated therein.

(c). The operation of the Community Antenna System shall be conducted and maintained so that all customers of said system shall be entitled to receive signals of good technical quality and a full range of services available.

Any and all complaints regarding bills and the quality of signals or service will be promptly handled in the following manner:

(c)(1). The Grantee, on its bills shall provide a telephone number to its customers of a specific department of the company which will handle complaints.

(c)(2). In the event the customer complaint is not handled to the satisfaction of the customer within ten days (10) of the complaint, the complaint will be referred to the Chief Administrative Officer or any official subsequently designated by the City.

(c)(3). The Chief Administrative Officer or designated authority will be empowered to adjust, settle or compromise any

controversy regarding bills and the quality of signals or service.

The Grantee shall comply with any orders pertinent to such corrections.

SECTION 5(a). The City reserves the right of reasonable regulation of the erection, construction, and maintenance of any works and construction by the Grantee and to reasonably designate where such works and construction are to be placed.

(b). Any and all Community Antenna System facilities shall, in those areas where service is conducted thereby, be made available without charge as a public service for the use of the Communications Division (Department of Electricity) for the Civil Defense and Disaster Corps of the City or any other public agency performing civil defense or disaster services.

SECTION 6. The Grantee shall not have the right to assign or otherwise transfer in any manner whatever this franchise, or sell, lease, license or permit other to use, transfer in any manner whatever, or convey any interest in, all or any part of its facilities which are installed or operated hereunder, except upon the prior written approval by ordinance of the Board of Supervisors of the City.

SECTION 7. This franchise may be forfeited, in the option of the City, upon the failure or refusal of the Grantee, its successors or assigns, to observe the terms and conditions of this franchise.

Such a forfeiture may be exercised by service of written notice upon the Grantee, its successors, or assigns, of failure to observe the terms and conditions hereof, and upon the refusal, within ninety (90) days, to eliminate and obviate such failure or violation.

In the event of any such failure or violation, the City may

sue in its own name in the manner provided by law for the forfeiture of this franchise without the necessity of resorting to proceedings in quo warranto, and the exercise of said remedy of forfeiture shall not preclude exercise of any other right or remedy given to the City by law, whether exercised concurrently or subsequently.

SECTION 8(a). Within thirty (30) days after the date that the ordinance granting this franchise becomes effective, the Grantee shall pay to the City the sum of Two Thousand Five Hundred and no/100 dollars ($2,500) as a purchase price of the franchise hereby granted.

The Grantee shall, during the remaining term of this franchise and during any holding over thereafter, beginning at this date when this ordinance shall legally take effect, and as a consideration for the granting thereof, and in consideration of the amendments to this franchise mutually agreed upon by the Grantee and the City, pay to the City as a Franchise and permit fee and as further compensation for the rights and privileges granted hereunder, the sum equal to five percent (5%) of its total gross receipts from Community Antenna System customers as defined in Section 19 hereof.

The Grantee shall provide the Committee with an annual projection of the amount of franchise tax proceeds to be paid to the City during the next calendar year.

The Grantee shall provide the Committee with the annual projection report in November of the year which precedes the year projected. The projection report shall be revised quarterly to reflect changes that occur during the course of the twelve month period.

The five percent (5%) fee on gross receipts shall be paid in the following manner.

The Grantee shall pay the five percent franchise fee to the Controller who shall deposit 4.8% of the Gross Receipts into the City's General Fund and shall deposit two tenths of one percent (0.2%) of the gross receipts into the Cable Television Access and Development Fund for public, educational, and municipal access activities. Public access functions shall be performed by a not-for-profit corporation. This shall be funded by a contract between the Board of Supervisors and a not-for-profit corporation which will receive not less than one-third (1/3) of the 0.2% portion of the franchise fee provided, however, that such payment by the City shall not exceed funds which the not-for-profit corporation receives from non-city sources.

The not-for-profit corporation's purpose, functions and responsibilities shall include the following:

a. Promoting and encouraging the use of public access cable to serve the needs of citizens, civic organizations, cultural and arts organizations, ethnic and minority communities, and other community users in San Francisco.

b. Soliciting and applying for and receiving contributions, grants, donations and loans of all types from individuals, organizations, corporations, foundations and government agencies to support the not-for-profit corporation's activities.

c. Training individuals and non-profit organizations to produce video programming of interest to the community.

d. Advising the Committee on matters pertaining to public access.

e. Entering into agreements with Grantee to effect the purposes of the corporation.

f. Consulting with Grantee on a regular basis regarding operation of Channel 25.

Municipal and educational access functions shall be funded by using that portion of the 0.2% franchise fee not used for public access.

((The Grantee shall pay four and eight tenths percent (4.8%) of its total gross receipts to the City.))

((The Grantee shall disburse two tenths of one percent (.2%) of its total gross receipts from the same source for such access programming and development as is specified in Section 2A, Paragraph 4, in accordance with an annual plan of expenditure adopted by the Board of Supervisors by resolution.))

((The Citizens' Telecommunication Policy Committee shall provide recommendations to the Board of Supervisors relative to each proposed annual plan.))

((In absence of such resolution in a given year, the 0.2% of gross revenue shall be paid to the City as a franchise and permit fee.))

Said basis of computations has been hereby agreed upon between the parties hereto as a convenient and proper method of measuring the amount which the Grantee shall annually pay as a franchise fee for the enjoyment of the franchise granted hereunder.

Such fee shall be paid to the City quarterly and the payment thereof shall be due on or before the end of each period of ninety (90) days succeeding the close of each quarter of the calendar year during which this franchise is in effect.

The term "quarter of a calendar year" shall include any fraction thereof which may elapse from the granting of this franchise to the close of the next succeeding quarter of a calendar year, and also any fraction of a quarter which may elapse

from the close of the last calendar quarter under this franchise to the date of its actual termination.

Such payment shall be accompanied by a statement duly verified before a notary public showing in detail the total gross receipts as defined by Section 19 received by Grantee during the preceding calendar quarter.

The Grantee of this franchise and its successors or assigns, shall at all times keep and maintain a full, true and correct account of all the gross earnings and income arising out of operations under this franchise.

Their said books of accounts and all other records shall at all reasonable times be open to inspection and examination within the City by the Controller and his representatives, and by officers, agents and employees authorized by the Board of Supervisors of the City, and shall be kept in such form as to enable the Controller to ascertain and check the amounts due to the City and determine any other facts relative to operations under this franchise.

The right is reserved to the City of audit and recomputation of any and all amounts paid under this franchise and no acceptance of any payment made hereunder shall be construed as a release or as an accord and satisfaction of any claim the City may have for further or additional sums payable under the franchise or for the performance of any other obligation hereunder.

(b). In the discretion of the Chief of the Department of Electricity, the Grantee in each street, alley or other public places in which it may, after the effective date of this franchise, construct any underground conduit, shall provide and maintain throughout its system, without charge to the City, one continuous duct for the exclusive and permanent use by the City

for the police, fire and civil defense communications facilities of the City.

(c). Notice shall be given to the Chief of the Department of Electricity, thirty (30) days prior to the date of any construction work by Grantee regarding the location and extent of and type of facilities to be installed during any such construction provided that this provision shall not apply to installation of lateral services to individual customers.

SECTION 9. The terms of this franchise shall extend until December 31, 2005. This franchise is to be nonexclusive and shall be construed in accordance with applicable laws in the State of California, including the charter, ordinances, resolutions, and regulations of the City.

SECTION 10. Grantee agrees that it shall not perform any services for customers for any compensation other than that which is stated in its schedule of rates and charges which is now on file with the Board of Supervisors in file number 213-62, unless an application for modification has been approved in the manner hereinafter set forth, both in the instances of any application for an additional modification and in the instance of any subsequent application or applications for modification.

Any proposed modification of such schedule shall be filed with the Clerk of the Board of Supervisors of the City before any such modification may become effective.

Within a period if ninety (90) days the Board of Supervisors shall, after public hearing and notification to the Grantee, act by ordinance to approve or disapprove in whole or in part, said proposed modification.

Any modification of said schedule or part thereof which is approved by the Board of Supervisors shall not be put into effect

until sixty (60) days after final passage of the ordinance giving such approval.

No proposed modification of any schedule can be put into effect if same shall have been disapproved by the Board of Supervisors; provided, that an application filed pursuant to this section and denied in whole or in part may be renewed subsequent to six (6) months after the date of disapproval of said application.

City and Grantee agree that the rates and charges fixed by the Grantee, which are promulgated either initially or as a result of the above designated procedure, shall not be arbitrary, unreasonable or unjustly discriminatory.

SECTION 11(a). The Grantee, its successors and assigns, shall upon subsequent additions of areas to the City, either by annexation, consolidation, or otherwise, surrender all Community Antenna System franchises of the Grantee in such areas, such surrender being deemed to take place on the occurrence of any such event, and shall thereafter be subject to the provisions of this franchise as to all such areas; provided, however, that should this franchise be declared invalid or rendered inoperative by a judgement, decree, or order of court of competent jurisdiction which, being binding hereon, becomes final for all purposes, the franchises thereby surrendered shall thereafter have the same force and effect as if such surrender had not occurred.

(b). By its acceptance of this franchise, the Grantee agrees that any Community Antenna System facilities and any other facilities and appurtenances in streets, alleys, and public places, incidental to a Community Antenna System which have been, or are at any future time, in any manner, acquired, leased, or utilized by the Grantee are thereupon to be deemed authorized by

and shall be subject to all the provisions of this franchise, including, but not limited to, the duty of payment of compensation as required hereunder.

(c). Performance of the duty of rendering compensation under this franchise or of any other obligation undertaken hereunder shall not be excused by the fact that the Grantee may presently or in the future purchase, lease or utilize under any arrangement whatever, as all or any part of a Community Antenna System, Community Antenna System equipment or facilities or services, or any other equipment or facilities or services incidental to a Community Antenna System furnished by any public utility or other person or entity, whether pursuant to tariffs or any other arrangement.

The Grantee agrees that the duty of payment of compensation and the performance of any and all other obligations undertaken under this franchise shall apply to all such equipment, facilities and services so purchased, leased or utilized, whether such equipment, facilities and services constitute all or any part of the Community Antenna System operated within the City by, for, or on behalf of the Grantee.

SECTION 12(a). No privilege or exemption is granted or conferred by this franchise except those specifically prescribed herein.

(b). Any privilege claimed under this franchise by the Grantee in any street or alley or other public place shall be subordinate to any lawful occupancy of same by the City or by any other public agency, and to any prior lawful occupancy of same by any other entity or person.

SECTION 13. Franchise property shall be constructed or installed in, on, under, or over streets and alleys only at such

locations and in such manner as shall be approved by the Director of Public Works, acting in the exercise of a reasonable discretion. Construction, installation or use of franchise property in all other public places shall be subject to rejection by, or approval of and regulation by the board, commission or officer of the City having jurisdiction over the same.

SECTION 14(a). Except as otherwise provided by Section 15 and this section, within twelve (12) months after the use of any franchise property has been permanently discontinued or this franchise expires, or is otherwise terminated, the Grantee shall promptly remove from the streets, alleys and public places of the City all property involved and shall restore said streets, alleys, and public places so as to conform in all respects with the current condition of same at the date of such restoration, except, however, that such property shall not be removed if the Director of Public Works of the City shall determine that said removal will cause unreasonable damage to said streets, alleys or public places; and provided, however, that should the Chief of the Department of Electricity request that any duct or ducts be allowed to remain in place for the use of the City, then said duct or ducts shall not be removed, and title thereto shall be transferred to City by an instrument satisfactory in form to the City Attorney of the City, transferring to City the ownership of said duct or ducts.

The Director of Public Works may, at his discretion, permit any other franchise property to be abandoned in place, provided that the Grantee shall submit to the Director an instrument satisfactory to the City Attorney of City transferring to City the ownership of such property.

(b). In the event of its holding over after expiration or

other termination of this franchise, the Grantee shall render compensation pursuant to the provisions of this franchise until the effective date of a new franchise.

SECTION 15. The Grantee, at its expense, shall protect, support, temporarily disconnect, relocate in, on, under or over any street, alley or public place, or remove from any street, alley or public place, any property when required by the Director of Public Works by reason of traffic conditions, public safety, street vacation, freeway or street construction, change or establishment of street grade, installation of sewers, drains, water pipes, power lines or tracks or any other type of structures or improvements by the City or other public agencies when acting in a governmental or in a proprietary capacity, or for any public improvement, not limited to the foregoing, of any character whatsoever; provided, however, that Grantee shall in all such cases have the privilege to abandon on franchise property in place which is provided in Section 14 hereof, subject to the requirements stated therein.

SECTION 16. Upon any failure of the Grantee to commence, pursue, or complete any work required of it by an existing or future ordinance, resolution, or regulation of the City, of by State law, or by provisions of this franchise, to be done in any street or alley or public place, the Director of Public Works, at his option and according to law, may cause such work to be done and the Grantee shall pay to the City the cost thereof in itemized amounts as reported by the Director of Public Works to the Grantee, within thirty (30) days after receipt of such itemized report.

SECTION 17(a). The Grantee shall, within thirty (30) days after the date that the ordinance granting this franchise becomes

effective, file with the Chief Administrative Officer of the City, and at all times hereafter maintain in full force and effect for the entire term of the franchise, at its expense, a faithful performance bond executed by a surety company approved by the Controller and in form satisfactory to the City Attorney of the City in the amount of Twenty Five Thousand and no/100 dollars ($25,000), renewable annually and conditioned upon the faithful performance by Grantee of all the terms, conditions, and covenants contained in said franchise, and that in the event that Grantee shall fail to comply with any one or more of the provisions of this franchise, then there shall be coverable jointly and severally from the principal and surety of such bond, any damages or losses suffered by the City as a result thereof.

Said bond shall provide that thirty (30) days prior written notice of cancellation, material change, or intention not to renew said bond be given to the City.

(b). Neither the provisions of any bond accepted by the City pursuant hereto nor any damage recovered by the City thereunder shall be construed to excuse faithful performance by the Grantee or limit the liability of the Grantee under this franchise or for damages, either to the full amount of the bond or otherwise, or preclude exercise of any other right or remedy given to the City by law, whether exercised concurrently or subsequently.

(c). Within thirty (30) days after this ordinance becomes effective, the Grantee shall file with the Chief Administrative Officer of the City and thereafter maintain in full force and effect for the entire term of the construction period, at its expense, a faithful performance bond executed by a security company approved by the Controller and in form satisfactory to the City Attorney in the amount of Two Hundred Fifty Thousand and

no/100 dollars ($250,000), renewable annually and conditioned upon faithful performance by the Grantee of these terms, conditions and covenants contained in this ordinance.

In the event that the Grantee shall fail to comply with the provisions of this ordinance and the attached construction plan, except in those cases where the Grantee's failure to comply is through no fault of his own, there shall be recoverable jointly and severably from the principal and surety of such bond a penalty payment of One Thousand and no/100 dollars ($1,000) per day until such failure is remedied.

Inability to obtain permission for access to private property shall constitute excusable nonperformance.

The Chief Administrative Officer shall monitor compliance with the construction plan and shall assess a penalty ((is)) if warranted. The Committee may review compliance with the construction plan and present findings to the Chief Administrative Officer.

In case of dispute or question of interpretation of this section, the issue will be submitted to arbitration under the rules of the American Arbitration Association before an arbitrator mutually acceptable to the Grantee and the City, whose decision will be binding.

SECTION 18(a). Grantee agrees that at all times during the existence of this franchise it will, at its own expense, maintain in force, furnish to the City and file with the Chief Administrative Officer of the City, a general comprehensive liability insurance policy, in protection of City, members of its boards and commission, and its officers, agents and employees, and the Redevelopment Agency of the City, its members, officers, agents and employees, in a company approved by the Controller and

in form satisfactory to the City Attorney of the City, protecting the City, said Agency, and said persons against liability for loss or damages for bodily injury, death and property damage occasioned by the operations of Grantee under this franchise, with minimum liability limits of Three Hundred Thousand and no/100 dollars ($300,000) for personal injury or death of any one person and Five Hundred Thousand and no/100 dollars ($500,000) for personal injury or death of two or more persons, in any one occurrence, and Fifty Thousand and no/100 dollars ($50,000) for damages to property resulting from anyone occurrence.

Additional public agencies and their personnel shall be added to any such policy as additional insureds, subject to the same terms and conditions, at the request of the City.

(b). The policies mentioned in the foregoing paragraph shall contain a provision that a written notice of any cancellation or reduction in coverage of said policies shall be delivered to the City thirty (30) days in advance of the effective date thereof.

If such insurance is provided in either case by a policy which also covers Grantee or any other entity or person than those above named, then such policy shall contain the standard cross-liability endorsement.

SECTION 19. Wherever used herein, the following terms and phrases shall be defined as provided in this section.

(a). Community Antenna System: Antennas, coaxial cables, amplifiers, droplines, other conductors, and other equipment or facilities, not limited to the foregoing, including any of the same, and any services performed by the use of same furnished by any public utility or other person or entity, whether pursuant to tariffs or any other arrangement, necessary for or incidental to

the capture or the transmitting of television signals, for a consideration, or as a public service, to customers at the selection of the Grantee.

(b). Customer: Any person or utility who for any purpose receives or pays for the receipt of, or the right to receive, any Community Antenna System signal or signals.

(c). Total Gross Receipts: Any and all compensation and other consideration in any form whatever, and any contribution, grant, or subsidy received, directly or indirectly, from any source without exclusion whatever except as enumerated hereinbelow in the second paragraph of this subsection, by, for, or on behalf of the Grantee, any agent, lessee, licensee, or permittee of the Grantee, or any other person or entity operating or otherwise utilizing Community Antenna System facilities under any arrangement with the Grantee, in payment for any Community Antenna System signal or signals, or for installation, servicing, or other acts, not limited to the foregoing, performed in connection with any Community Antenna System equipment, regardless of the ownership thereof, which is connected, or designed for connection, to a Community Antenna System, or any part thereof.

Total Gross Receipts shall not include the amount of any taxes on the service furnished by the Grantee imposed directly on the customer by any city, state or other governmental unit and collected specifically by the Grantee for such governmental unit.

SECTION 20. It is understood and agreed that this franchise only confers authorization on the Grantee to conduct operations and erect, maintain, use or receive services from facilities to carry out the capture and the distribution of those television signals which are broadcast through the air waves from properly authorized television stations operating pursuant to permission

obtained from the Federal Communications Commission, or any successor thereof, and also to capture and deliver satellite delivered television programming, FM and multiplex radio signals from those FM and multiplex radio stations which are located, or which may in the future be located in the San Francisco Bay Area: provided, however, that the Grantee may originate and/or provide to its customers informational and other program material on one or more channels of its Community Antenna System: provided further that it is understood and agreed that, in any event this franchise does ((not and shall not)) permit the transmission to any customer of the Grantee of any program or programs for which a separate charge is made to such customer for the receipt thereof. ((: provided, however, that)) Should Grantee desire to make any additional or other use of all or any part of the Community Antenna System facilities, then it agrees notwithstanding any other authorization which it may now or subsequently possess from any governmental jurisdiction, that it will apply to the Board of Supervisors of the City for permission to conduct such use, and Grantee hereby further agrees that such use shall be subject to all provisions of this franchise, including, but not limited to the payment of the compensation prescribed hereunder and shall be further subject to additional terms and conditions as mutually agreed on by the City and Grantee.

SECTION 21. It is understood and agreed that the Grantee may only deliver to any customer the signal of any television station that is permitted or authorized to be delivered by any Community Antenna System operating in the City and County of San Francsco under the rules and regulations of the Federal Communications Commission or any successor thereof, as established by said Commission from time to time provided,

however, that a professional athletic game or contest which takes place within the City and which is not licensed for live telecasting in San Francisco by owners of the organizations participating in such game or contest, shall not, without the written authorization of the Chief Administrative Officer of the City and County of San Francisco be delivered or made available for delivery, directly or indirectly, to any customer of the Grantee or any other person or entity.

No signals from any other television stations may be delivered by Grantee to any of its customers.

SECTION 22. The Grantee shall file a written acceptance of this franchise with the Clerk of the Board of Supervisors of the City within thirty (30) days after the date that the ordinance granting this franchise becomes effective.

This franchise shall go into effect only when such acceptance has been filed, when the purchase price has been paid, and when the faithful performance bond and general comprehensive liability insurance policy provided for by this franchise have been filed and approved as required herein.

SECTION 23. If any section, subsection, sentence, clause or phrase of the ordinance is for any reason held illegal, invalid, or unconstitutional, such invalidity shall not affect the validity of the ordinance or any of the remaining portions thereof.

The invalidity of any portion of this ordinance shall not abate, reduce, or otherwise affect any consideration or other obligation required of the Grantee by this franchise.

SECTION 24(a). Termination.((:)) If this franchise is cancelled by reason of the Grantee's default, that part of the system located in the streets shall, at the election of the City, become the property of the City at a cost not to exceed its then

book value calculated as cost less accumulated depreciation, according to generally accepted accounting principles, with a reduction for any damages incurred by the City in connection with such cancellation.

Such book value, if not agreed upon, shall be determined by arbitration under the rules of the American Arbitration Association before an arbitrator mutually acceptable to the Grantee and the City, and shall not include the good will of the Grantee.

Damages incurred by the City shall include any payment made by the City pursuant to a resolution by the City authorizing or directing another person to operate the system for a temporary period until a franchise is granted.

(b). Termination. On expiration of the franchise, the City at its election, may purchase the system at fair market value.

Such fair market value shall be the fair value of all tangible and intangible property but shall not include any valuation based upon this franchise.

The fair market value shall be negotiated by the City and the Grantee, and in the event a mutually agreeable price cannot be decided upon, the issue will be submitted to arbitration under the rules of the American Arbitration Association before an arbitrator mutually acceptable to the Grantee and the City.

The City shall notify the Grantee in writing of its intention to purchase the property six months before the expiration of the franchise.

Section 2. Section 25 of Ordinance No. 105-64 is hereby deleted.

((SECTION 25(a). The Board of Supervisors shall establish a

Citizens' Telecommunications Policy Committee (hereinafter the Committee).))

((The Committee shall consist of no more than nine (9) people and represent cable television subscribers and other public members, the Grantee, representatives of the education community, and agencies of the City.))

((The Committee shall meet on a monthly basis or as deemed necessary and review the Grantee's service within the community and make recommendations to the Grantee relative to changes in the service.))

((The Committee shall oversee the expenditure of funds including the franchise fee and Grantee's matching funds for municipal, educational and public access programming.))

((The Committee will also review specific issues at the direction of the Board of Supervisors.))

((It is directed to ascertain community needs and concerns relative to CATV by methods including but not limited to the following:

1. annual polling of customers,
2. annual sample polling of nonsubscribers,
3. consulting with community leaders and representatives, and
4. review of all customer complaints and the Grantee's response to said complaints.
5. review construction plan and Grantee compliance with the same.
6. Anaylze the state-of-the-art, including telecommunications construction, reception and programming equipment and resources.))

(((b). The Committee shall make an annual report to the Board of Supervisors.))

((At three year intervals after and beginning with December 1, 1981, the Committee shall propose changes in the franchise agreement and shall present its recommendations to the Board of Supervisors to amend the franchise agreement.))

((Amendments shall reflect service requirement changes based on advances in technology or demonstrated community needs.))

((They shall be substantive in nature, affecting a significant number of subscribers and shall be within the authority of the City and County of San Francisco.))

((The Grantee shall be required to conform to these amendments, if adopted, within reasonable time period unless the Grantee is in substantial compliance by alternative means; provided, however, that the time for commencement or completion of any such modification shall be excused by any delay resulting from labor strikes, material shortages, governmental restrictions, fire, acts of God or any other matter beyond the reasonable control of Grantee.))

((If compliance with the amendments will have a significant negative financial impact upon the Grantee, compliance must commence when commensurate rate revisions are authorized, provided such rates and service modifications are in the best interest of existing subscribers.))

((If the Board of Supervisors shall make a finding that the franchise amendment was prompted by a situation which was the result of imprudence on the part of Grantee, performance shall be required without a commensurate rate increase relative to the imprudence.))

((In case of dispute or question of interpretation of this section the matter will be decided by arbitration as outlined in Section 17(c).))

END

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
LEONARD L. SNAIDER
Deputy City Attorney

SUPERVISOR _____

APPENDIX 1 -- FACILITIES, STUDIO SIZE AND OFFICE SPACE

Facilities for production and playback of public access programs shall be located close to public transportation.

Minimum studio size shall be 1,400 square feet with a control room of at least 400 square feet. Grantee shall pay all costs of utilities, rent, insurance and other related costs.

The Grantee shall provide administrative office space; separate workspace appropriate for editing; a conference room for studio users and their guests; and a public phone available to users while the studio and offices are open.

APPENDIX 2 -- EQUIPMENT AND SIGNAL/IMAGE QUALITY STANDARDS

The Grantee shall provide, maintain and upgrade video production and post-production equipment. All video equipment shall perform to Electrical Industries Association (EIA) standards. The equipment shall also meet the following standards:

1. All cameras shall match each other in terms of hue and sensitivity.
2. No phase shift shall be visible during any transition between any switcher sources and when titles are superimposed over cameras of roll-in shots.
3. Producers shall be able to dissolve in and out of roll-in shots.
4. Playback hardware shall adhere to NTSC signal standards.
5. The cable modulator shall send standard NTSC television signals to the headend for cablecasting.

SUPERVISOR _____

APPENDIX 3 -- EQUIPMENT

Studio equipment shall include but not be limited to the following:

a. Three (3) color studio cameras meeting the following specifications:
   1. 500 line horizontal resolution
   2. 56 db signal-to-noise ratio
   3. Registration .05% all zones

b. One (1) video production switcher.

c. Two (2) genlockable time base correctors.

d. Studio lighting capable of providing optimal base light for the cameras provided.

e. Three (3) character generators. Two with durable storage (ie. minidisks, microdisks, etc.) for studio production and playback application and one with a minimum of sixteen (16) pages of internal memory for editing.

f.1. Two (2) U-Matic (3/4") capstan servo player/recorder VTRs for studio production.

f.2. Two (2) U-Matic capstan servo cassette players for playback.

f.3. Two (2) VHS player/recorder VCRs for production and playback.

f.4. Two (2) VHS players for playback.

g. One (1) 10X2 production audio mixer.

h. One (1) VHS stand-alone editing system with full fade to black capability, in a dedicated bay and separated from the studio control room.

i. Four (4) hand-held microphones and ten (10) lavalier microphones.

The Grantee shall provide two (2) field production packages made up of one (1) each VHS mini-cam with portable deck or a VHS

camcorder, three (3) fixture portable lighting kit, microphones, tripod, batteries, AC power supply and cases.

APPENDIX 4 - MAINTENANCE AND REPAIR OF EQUIPMENT

Equipment described in Appendix 3 shall be kept in good operating condition and replaced when no longer practical to repair.

The Grantee shall post appropriate equipment maintenance schedules which shall constitute a record of preventive maintenance. These schedules shall be available to the Committee and to the Public Access Corporation (PAC) for inspection during normal business hours upon forty-eight (48) hours advance notice.

Critical equipment down for repair for more than five (5) days shall be replaced by the Grantee with other comparable equipment, if reasonably available, for the interim period.

APPENDIX 5 - HOURS OF OPERATION

The Channel 25 studio shall be open for production and cablecasting a minimum of eight (8) hours per day, Monday through Friday, or alternatively Tuesday through Saturday.

APPENDIX 6 - STAFFING

The Grantee shall provide, at a minimum, two (2) full time access coordinators plus additional staff time as needed to ensure proper functioning of the studio and equipment.

APPENDIX 7 - TRAINING

The Grantee shall provide basic, hands-on orientation training workshops for community users on a monthly basis. The

Grantee shall make arrangements with the PAC to schedule studio and equipment time for additional classes taught by the PAC on an on-going basis, up to twenty (20) hours per month. The PAC shall be financially responsible for damage to the studio or equipment and the safety of the participants during these workshops and will hold Viacom harmless from any claims arising from any such activity.

APPENDIX 8 - ACCESS POLICY

Production and playback time shall be provided exclusively to residents of the City and County of San Francisco.

APPENDIX 9 - AVAILABILITY OF RECORDS AND DOCUMENTS

The Grantee shall permit inspection of public access producers/users complaint forms, equipment maintenance records and monthly programming schedule during normal business hours upon forty-eight (48) hours advance notice.

SUPERVISOR _____

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
December 5, 1988	§	December 12, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Maher Molinari Nelder Silver Walker	§	Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Hongisto Ward Kennedy	§	Absent: Supervisors Britt Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 32-88-1

DEC 10 1988
Date Approved

Mayor

File No. 36-88-5.1 Ordinance No. 529-88

(Van Ness Avenue Use, Height and Bulk District)

ADOPTING CHANGES IN PROPERTY USE AND HEIGHT AND BULK CLASSIFICATION BY AMENDING THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR THE AREA IN THE VICINITY OF VAN NESS AVENUE BETWEEN McALLISTER STREET AND BAY STREET TO ESTABLISH THE VAN NESS SPECIAL USE DISTRICT, TO RECLASSIFY PROPERTY THEREIN FROM C-2 TO RC-4 OR RC-3 DISTRICTS, AND TO RECLASSIFY HEIGHT AND BULK DISTRICTS FROM 130-E AND 105-D TO 130-V OR 80-D.

Note: The entire ordinance is new. Where lot numbers are shown separated by a hyphen, the reference includes the first numbered, last numbered, and all intermediate numbered lots.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The following changes in property use classification are hereby adopted as amendments to Section Map 2 of the Zoning Map of the City and County of San Francisco.

ORIGINAL

Description of Property	Use Districts to be Superseded	Use Districts to be Approved
The area delineated RC-4 and Van Ness Special Use District on the maps attached hereto as Exhibits A and B, respectively, encompassing the following assessors blocks and lots:		
Assessor's Block/Lots		
574/14, 15, 16, 17, 18 575/3, 15 594/1, 2 595/4, 5, 6, 8 598/9, 9A, 9B, 10, 10A, 10B, 599/1, 8, 16 618/1, 1A, 1B, 2 619/9, 10, 11, 12 622/13, 18, 19 623/1, 1A, 1B, 2 642/1, 3, 4, 5 643/13, 15, 17, 18 646/12, 16 647/1, 2, 3, 4 666/1, 3, 4, 5, 6, 6A, 7, 9, 10, 25, 26, 27, 28, 29 667/5, 7, 8, 9, 10, 11, 13, 14, 16, 17, 18, 18A 670/9, 10, 11, 12 ,13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24 671/1, 2, 7 690/1, 1A, 13 691/3, 5, 8, 11, 12, 12A 694/1, 2, 3, 4, 5, 6, 7, 8, 9, 9A, 10, 11, 12, 13, 14, 15, 16, 17, 19 695/5, 6 714/1, 2, 3, 16 715/5, 9 718/6, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21 719/1, 2, 13 738/5, 7, 17, 18, 19, 22-44, 739/5, 6, 7, 8, 9, 10, 11, 12	C-2	RC-4 and Van Ness Special Use District

DOCUMENTS DEPT.
JAN 4 1989
SAN FRANCISCO PUBLIC LIBRARY

ORIGINAL

742/4, 6, 7, 8, 9, 10
743/1, 2, 15, 203,
204
762/25, 26, 27, 29-479
763/8, 9, 10, 11, 12, 13, 14
766/7, 8, 9, 10

ORIGINAL

Section 2. The following changes in property use classification from C-2 to RC-3 are hereby adopted as amendments to Section Map 2 of the Zoning Map of the City and County of San Francisco.

Description of Property	Use Districts to be Superseded	Use Districts to be Approved
Assessor's Block/Lots		
The area delineated RC-3 on the map attached hereto as Exhibit A, encompassing the following assessors blocks and lots:		
AB 478/11	C-2	RC-3
479/2A, 3		
498/1, 2, 3, 5, 6, 7, 9, 10, 11, 12, 25, 26		
499/3, 4, 5, 6, 7, 9		
502/5G, 5H		
503/4, 5, 30		
522/1, 2, 2A		
523/14A, 14B, 14D, 15, 15A, 15B		
526/16, 17, 19, 21		
527/1, 2, 4, 7, 8, 9		
546/1, 2, 3, 4, 5		
547/7, 8, 9, 10, 11, 12, 13, 14		
550/17, 18, 20, 20A, 24, 25, 26		
551/1, 1A, 1B, 2, 3, 4, 4A, 5		
570/1, 2, 3, 4, 5, 7, 29		
571/5, 10, 11, 12, 13		

ORIGINAL

Section 3. The following changes in height and bulk districts to a 130-V height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

Description of Property	Height and Bulk Districts to be Superseded	Height and Bulk Districts to be Approved
Assessor's Block/Lots		
The area delineated 130-V on the map attached hereto as Exhibit C, encompassing the following assessors blocks and lots:		
646/12, 16 647/1, 2, 3, 4 666/1, 3, 4, 5, 6, 6A, 7, 9, 10, 25, 26, 27, 28, 29 667/5, 7, 8, 9, 10, 11, 13, 14, 16, 17, 18, 18A 670/9, 10, 11, 12 ,13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24 671/1, 2, 7 690/1, 1A, 13 691/3, 5, 8, 11, 12, 12A 694/1, 2, 3, 4, 5, 6, 7, 8, 9, 9A, 10, 11, 12, 13, 14, 15, 16, 17, 19 695/5, 6 714/1, 2, 3, 16 715/5, 9 718/6, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21 719/1, 2, 13 738/5, 7, 17, 18, 19, 22-44, 739/5, 6, 7, 8, 9, 10, 11, 12 742/4, 6, 7, 8, 9, 10 743/1, 2, 15, 203, 204 762/25, 26, 27, 29-479 763/8, 9, 10, 11, 12, 13, 14 766/7, 8, 9, 10	130-E	130-V

ORIGINAL

Section 4. The following changes in height and bulk districts to a 80-D height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

Description of Property	Height and Bulk Districts to be Superseded	Height and Bulk Districts to be Approved
The area delineated 80-D on the map attached hereto as Exhibit C, encompassing the following assessors blocks and lots:		
Assessor's Block/Lots		
594/1, 2 595/4, 5, 6, 8 598/9, 9A, 9B, 10, 10B, 10A 599/1, 8, 16	105-D	80-D
618/1, 1A, 1B, 2 619/9, 10, 11, 12 622/13, 18, 19 623/1, 1A, 1B, 2 642/1, 3, 4, 5 643/13, 15, 17, 18,	130-E	80-D

APPROVED AS TO FORM

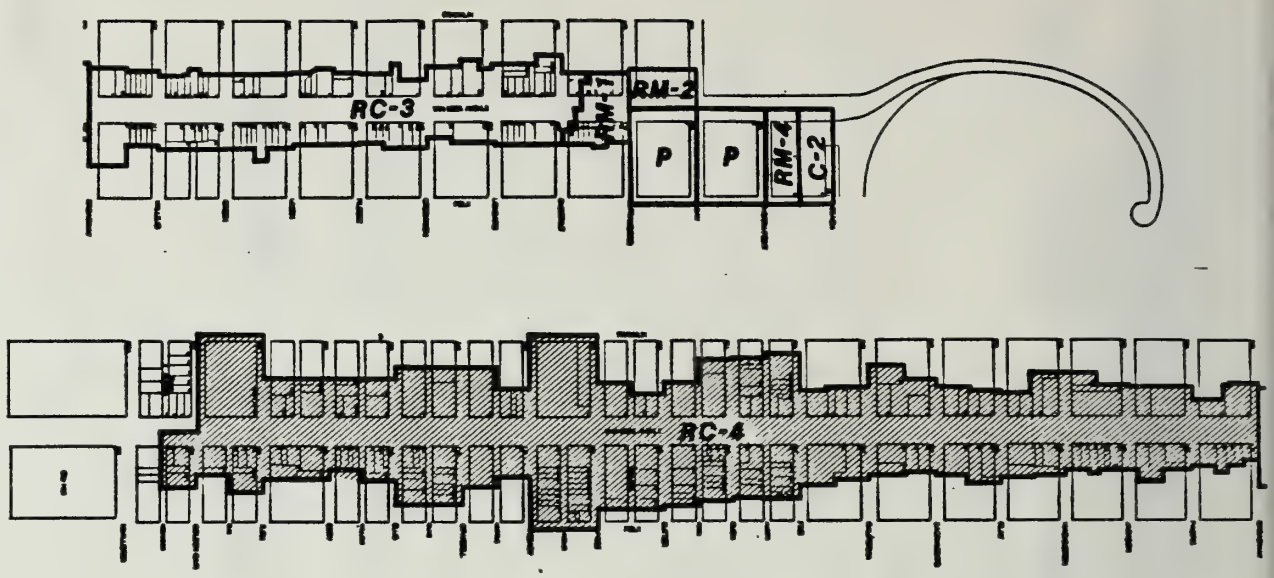
LOUISE RENNE, City Attorney

Judith A. Boggian
by: Deputy City Attorney

DEAN L. MACRIS, Planning Director

Dean L. Macris

ORIGINAL



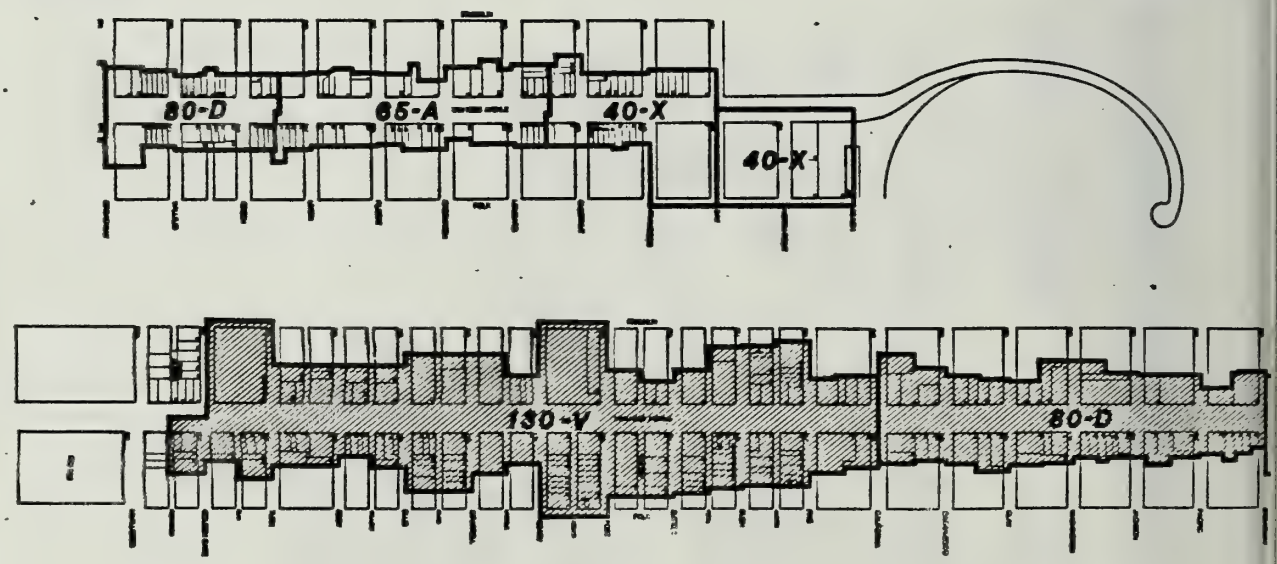
Van Ness Avenue S.U.D.

EXHIBIT 1
PROPOSED USE DISTRICTS

VAN NESS AVENUE PLAN

ORIG

ORIGINAL



Van Ness Avenue S.U.D.

EXHIBIT 2
PROPOSED HEIGHT AND BULK DISTRICTS

VAN NESS AVENUE PLAN

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 5, 1988	December 12, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Nelder Silver Walker	Ayes: Supervisors Gonzalez Hsieh Maher Nelder Silver Walker Ward
Excused: None: Supervisors Molinari	Excused: None: Supervisors Molinari
Absent: Supervisors Kennedy Maher Ward	Absent: Supervisors Britt Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
36-88-5.1

DEC 16 1988
Date Approved

Mayor

FILE NO. 97-88-34 ORDINANCE NO. 530-88

(Preservation of Records)

AMENDING CHAPTER 8 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 8.2 TO INCREASE DEPARTMENT HEADS' RESPONSIBILITY FOR PRESERVING AND FILING RECORDS; AMENDING SECTION 8.3 TO REQUIRE SCHEDULES FOR RETENTION AND DESTRUCTION OF RECORDS; AMENDING SECTION 8.4 TO ADD AND DEFINE "PERMANENT RECORDS" AS A THIRD CLASSIFICATION OF RECORDS; AMENDING SECTION 8.5 TO CLARIFY THE RESPONSIBILITY OF THE CHIEF ADMINISTRATIVE OFFICER TO ARRANGE FOR RECORD STORAGE AND TO DELETE THE REQUIREMENT FOR PERIODIC REPORTS ON ARCHIVAL CONTRACTS; REPEALING SECTION 8.6 RELATING TO THE APPOINTMENT AND DUTIES OF A SUPERINTENDENT OF RECORDS; AMENDING SECTION 8.9 TO MAKE DEPARTMENT HEADS RESPONSIBLE FOR PRESERVATION OF RECORDS ESSENTIAL TO CONTINUITY OF CITY GOVERNMENT; REPEALING SECTIONS 8.10 AND 8.10-1 WHICH RELATE TO DESIGNATION AND DUTIES OF A RECORDS PRESERVATION OFFICER; REPEALING SECTION 8.11 WHICH RELATES TO OPERATION OF THE TWIN PEAKS VAULT.

Note: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 8 of the San Francisco Administrative Code is hereby amended by amending Sections 8.2, 8.3, 8.4, 8.5 and 8.9 to read as follows:

SEC. 8.2. RESPONSIBILITY FOR PRESERVATION AND FILING OF RECORDS. The head of every department shall be responsible for the preservation and proper filing of papers, film or other records of the department and the ultimate disposition of the same in accordance with the applicable law. ((; provided, however, that he or she shall not be responsible for the preservation or proper filing of such paper, film or other records when entrusted in the care and management of the Superintendent of Records Center, as provided in Sec. 8.6 of this code.))

SEC. 8.3. ((DISPOSITION)) RETENTION AND DESTRUCTION OF ((USELESS)) RECORDS GENERALLY. It shall be the duty of each department head to classify the department's records, using the classifications set forth in Section 8.4 of this code, and to prepare a schedule for the systematic ((disposition)) retention and destruction of ((useless)) such records, which schedule shall comply with the provisions of this section and of Sections 8.4 and 8.9 of this code and will be effective ((after)) only upon approval by the officers and boards specified below((:)).

((A department head is authorized to destroy or otherwise dispose of useless records of his or her department)) Current records and storage records, as defined in Section 8.4 of this code, may be destroyed five years after ((their origin and after)) they were created if they have served their purpose and are no longer required for any public business or other public purpose, except that records pertaining to financial matters shall be destroyed only after approval by the Controller; those having legal significance only ((with the)) after approval ((of)) by the City Attorney; and payroll checks, time cards and related documents only ((with the)) after approval ((of)) by the Retirement Board.

((On request, payrolls,)) If requested by the Retirement Board, payroll checks, time cards and related documents shall be delivered to the Retirement Board ((in lieu)) instead of being destroyed.

Current records and storage ((R))records less than five years old may be destroyed or otherwise disposed of if their destruction or other disposition within a shorter length of time will not be detrimental to the City and County or defeat any public purpose and

DOCUMENTS DEPT
JAN 4 1989
SAN FRANCISCO PUBLIC LIBRARY

if a definitive description of such records and the retention period applicable to them are set forth ((is specifically provided for)) in a schedule for the systematic retention and destruction of ((useless)) records that is prepared ((recommended)) by the department head, approved by the Chief Administrative Officer, board or commission concerned, ((,)) and approved by the City Attorney as to records of legal significance, by the Controller as to records relating to financial matters, by the Retirement Board as to time rolls, time cards, payroll checks and related matters((, and adopted by resolution of the Board of Supervisors)).

Permanent records, as defined in Section 8.4 of this code, and essential records, as defined in Section 8.9 of this code, shall not be destroyed or otherwise disposed of except as set forth in those sections.

The provisions of this Section do not apply to sound recordings of radio or telephone communications as described in Section 8.3-1.

Nothing in this Section shall be deemed to apply to or authorize the destruction of any records that are ((kept pursuant to a state statute, or are accumulated by a City and County department while acting in a state matter.)) required to be retained by local, state or federal law.

SEC. 8.4. ((**"CURRENT RECORDS" AND "STORAGE RECORDS" DESIGNATED**)) RECORDS CLASSIFICATIONS. "Records", as defined in Section 8.1 of this Code, shall for the purposes of this Chapter be divided into ((two)) three classifications: current records ((and)), storage records and permanent records.

"Current records" are ((those)) records which for convenience, ready reference or other reason are retained in office space and equipment of the department involved.

"Storage records" are ((those)) records which need not be retained in office space and equipment of the department involved, but which must be, or should be, prudently preserved for a time or permanently in the facilities of a records center, as specified in the following section.

"Permanent records" are records required by law to be permanently retained. Unless otherwise required by law or regulation, permanent records shall be stored by microfilming the paper records or placing them on an optical imaging storage system, placing the original film or tape in a state-approved storage vault and delivering a copy to the department. The paper records may then be destroyed.

11/29/88

SEC. 8.5. **ESTABLISHMENT, USE, ETC., OF RECORDS CENTER.** The Chief Administrative Officer ((is hereby authorized to establish, maintain and operate within a department under his or her jurisdiction)) shall provide for the establishment, maintenance and operation of a records center for the orderly storage, care, management and safeguarding of storage records of the departments and offices of the City and County and of the San Francisco Unified School District and for the destruction of storage records pursuant to retention and destruction schedules prepared and approved as provided in Section 8.3 of this code. The Chief Administrative Officer may establish, maintain and operate such a records center as a function of one of the departments under the Chief Administrative Officer's jurisdiction or, in lieu thereof ((, when funds are provided through regular budgetary procedures,)) may contract with a reputable and experienced archival firm to ((store, maintain and safeguard said records as well as)) establish, maintain and operate such a records center and to provide retrieval and accession services ((in accordance with procedures set forth in the contract)).

11/29/88

A representative of the Chief Administrative Officer may also be available as a consultant to departments in the formulation of paper records storage alternatives such as microfilming and optical imaging records storage systems.

11/29/88

Within two years from the effective date of such contract, and at three-year intervals thereafter, the Chief Administrative Officer shall have prepared for public hearing at the Board of Supervisors a report on the merits and demerits of the contract as compared with a municipal records center. | Any of the departments or offices of the City and County and the San Francisco Unified School District may elect to use the facilities of the records center for its storage records provided that: (a) copies of an approved schedule for systematic retention and destruction of records shall first be delivered to the Chief Administrative Officer and to the records center; and (b) the cost for the use of the records center facilities shall be the obligation of, and be paid by, the department or office using the facilities or by the San Francisco Unified School District if it shall use the facilities.

11/29/88

SEC. 8.9. PRESERVATION OF ESSENTIAL RECORDS. ((--STATEMENT OF PUBLIC INTEREST.)) It is hereby declared that the public interest demands that various City and County records which would be essential to the continuity of government and the protection of rights and interests of individuals in event of a major disaster (hereinafter referred to as "essential records") be preserved against possible destruction by fire, earthquake, flood, enemy attack or other cause. It shall be the duty of each department head to develop a program for the selection and preservation of the essential records of the department and to arrange for safe storage of those essential records and duplicates thereof in the same manner

/ / /

as is provided for the storage of permanent records under Section 8.4 of this code.

Section 2. Chapter 8 of the San Francisco Administrative Code is hereby amended by repealing Sections 8.6, 8.10, 8.10-1 and 8.11, reading as follows:

((SEC. 8.6. SUPERINTENDENT OF RECORDS. In the absence of any agreement between the Chief Administrative Officer and a private archival concern, the records center shall be operated by the City and County. In that event, the records center shall be managed by a Superintendent of Records who shall be a person qualified by training and experience to organize and manage a central depository of records and shall conduct the records center as a service agency for the various departments. In the event the records center is operated on a contractural arrangement with an archival firm, the Superintendent of Records shall act as liaison between City and County departments and the records center for the purpose of insuring the prompt retrieval of any record or volume of records entrusted to the records center when such is desired by the department concerned. He or she shall devise forms for the use of the departments or offices which entrust their storage records to the center; shall notify department heads when records in storage are available for destruction; and otherwise provide and insure that the records center gives a maximum of service to client departments with regard to the preservation and management of their storage records. He or she shall be responsible for the safekeeping of all storage records entrusted to the care and management of the records center.

In addition, he or she shall, when invited to do so, serve as a consultant to the various departments in the formulation of records schedules; the filing of records so as to facilitate their

later management; and the preparation of forms and the working out of procedures insofar as they have a bearing upon records management. He or she shall have such assistants as are necessary to help him or her perform the functions assigned to his or her position and as are provided through regular budgetary and civil service procedures.))

((SEC. 8.10. PRESERVATION OF ESSENTIAL RECORDS--DESIGNATION OF A RECORDS PRESERVATION OFFICER; DUTY TO RECOMMEND AND ADVISE CONCERNING A PRE-PROGRAM FOR PRESERVATION OF ESSENTIAL RECORDS. The Chief Administrative Officer, or the head of any department under his or her jurisdiction as designated by him or her, is hereby designated the Records Preservation Officer for the City and County of San Francisco. The Records Preservation Officer shall recommend to the Mayor and the Board of Supervisors a program for the selection and preservation of essential City and County records; shall advise and assist in its establishment and maintenance; and shall recommend the place and manner of safekeeping of essential records and preservation duplicates.))

((SEC. 8.10-1. PRESERVATION OF ESSENTIAL RECORDS--FILING OF ANNUAL REPORT. The Records Preservation Officer shall on the first Monday of December, 1962, file with the Mayor and the Board of Supervisors a written report containing his or her recommendations as to which City and County records should be designated as essential and preserved against a major disaster. Thereafter, on the first Monday of December each year, he or she shall file a written report with the Mayor and the Board of Supervisors on the status and progress of the records preservation program, together with his or her recommendations for making such revisions as deemed necessary to keep the inventory of essential records current, accurate and complete.))

((SEC. 8.11. PRESERVATION OF ESSENTIAL RECORDS--CUSTODY OF TWIN PEAKS VAULT; DUPLICATE KEYS AND LOCK COMBINATIONS. The Twin Peaks Subterranean Vault shall be operated under the custody of the Superintendent of Records. Duplicate keys and combinations of the locks to the vault or room, together with duplicate indexes of such records or preservations duplicates stored therein, shall be deposited for safekeeping with the Treasurer of the City and County. Such duplicate keys and combinations to locks and indexes of records shall be given by the Treasurer to the Superintendent of Records, upon request of the Chief Administrative Officer.))

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Julian E. Kulgren
Deputy City Attorney

RECOMMENDED:

Chief Administrative Officer

(see File 97-88-34 for departmental approval)

5908W

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 5, 1988	December 12, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Maher Molinari Nelder Silver Walker	Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Hongisto Ward Kennedy	Absent: Supervisors Britt Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-88-34

DEC 16 1988
Date Approved

Mayor

Amendment of the Whole 11/30/88

FILE NO. 97-88-71

ORDINANCE NO. 531-88

[Public Health Contracts]

AMENDING CHAPTER 19A OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 19A.22 TO PERMIT THE DIRECTOR OF PUBLIC HEALTH TO ENTER INTO AGREEMENTS WHEREBY PERSONS PROVIDING SERVICES VOLUNTARILY TO THE HOMELESS ARE DEEMED EMPLOYEES FOR PURPOSES OF THE TORT CLAIMS ACT.

Note: The entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 19A of the San Francisco Administrative Code is hereby amended by adding Section 19A.22 to read as follows:

Sec. 19A.22. AGREEMENTS WITH VOLUNTEERS FOR HOMELESS SERVICES. The Director of Public Health is hereby authorized to enter into and execute written agreements on behalf of the City and County of San Francisco with persons who agree to provide services voluntarily to the homeless under the supervision of a City employee, including but not limited to physicians providing medical care, which agreements may provide that the volunteer is an employee of the City and County of San Francisco for purposes of the Tort Claims Act. The Director of Public Health shall, on a quarterly basis, report to the Risk Manager the circumstances under which the volunteers are selected, the protocols under which they operate, the location of operations, and any other information suggested by the Risk Manager to enable the Risk Manager to assess the City's

/ / /

/ / /

/ / /

potential liability for operation of the homeless medical services program.

(See File 97-88-71 for departmental signatures.)

RECOMMENDED:

David Werdeger, M.D., M.P.H.
Director of Health

APPROVED:

Health Commission

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Deputy City Attorney

0028H

JAN 4 1989
SAN FRANCISCO

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 5, 1988	December 12, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Nelder Silver Walker	Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Kennedy Ward	Absent: Supervisors Britt Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 97-88-71

DEC 16 1988

Date Approved

Mayor

FILE NO. 97-88-74 ORDINANCE NO. 532-88

[Amending Fish and Game Fund]

AMENDING SECTION 10.19 OF THE SAN FRANCISCO ADMINISTRATIVE CODE, ESTABLISHING A FISH AND GAME PROPAGATION FUND, BY REPEALING THE DESIGNATION OF AN AGENT TO SUPERVISE THE FUND.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 10.19 of the San Francisco Administrative Code, establishing a Fish and Game Propagation Fund, is hereby amended to read as follows:

SEC. 10.19. EXPENDITURES FOR PROPAGATION AND CONSERVATION OF FISH AND GAME. For the purpose of carrying out the provisions of Sections 13000 et seq. of the Fish and Game Code of the State, insofar as the provisions of such section apply to the expenditure of moneys by the City and County for propagation and conservation of fish and game, there is hereby created a Fish and Game Propagation Fund into which shall be paid, all and singular, the moneys to which the City and County is entitled under and pursuant to the provisions of Sections 13000 et seq. of the Fish and Game Code of the State.

These moneys, as provided in Section 13100 of the Fish and Game Code, are to be expended for the propagation and conservation of fish and game within or outside the City and County, or for educational and youth activities relating to fish and game. These funds shall not be expended for the protection or preservation of domestic livestock or poultry or for predator control unless the action is undertaken to benefit wildlife.

((For the purpose of carrying out the provisions of Sections 13000 et seq. of the Fish and Game Code of the State and aiding in the propagation and conservation of fish and game, the San Francisco Tyee Foundation is hereby appointed as the agent to supervise, for and on behalf of the Board of Supervisors, the propagation and conservation of fish and game within the City and County and from time to time to enter into agreements with the Chief Administrative Officer, and by virtue thereof, to expend such moneys provided for in Section 13000 et seq. of the Fish and Game Code for the propagation and conservation of fish and game in the City and County.

((The San Francisco Tyee Foundation shall present proper vouchers approved by the Chief Administrative Officer to the Controller showing disbursements of all funds appropriated or allocated to the council for the purpose of carrying out the provisions of this section.))

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

RECOMMENDED:

Rudolf Nothenberg
Chief Administrative Officer

DOCUMENTS DEPT.
JAN 4 1989
SAN FRANCISCO
PUBLIC LIBRARY

2055g

05/11/88

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 5, 1988	December 12, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Nelder Silver Walker	Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Kennedy Ward	Absent: Supervisors Britt Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-88-74

DEC 16 1988
Date Approved

Mayor

FILE NO. 97-88-77 ORDINANCE NO. 533-88

[TELECOMMUNICATIONS POLICY COMMITTEE REVISIONS]

AMENDING SECTIONS 11.40 and 11.42 OF SAN FRANCISCO ADMINISTRATIVE CODE RELATING TO THE DUTIES OF THE TELECOMMUNICATIONS POLICY COMMITTEE.

NOTE: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Sections 11.40 and 11.42 of the San Francisco Administrative Code are hereby amended to read as follows:

SEC. 11.40. ((CITIZENS)) TELECOMMUNICATIONS POLICY COMMITTEE ESTABLISHMENT. The Board of Supervisors shall establish and appoint a ((Citizens)) Telecommunication Policy Committee.

SEC. 11.42. ((CITIZENS)) TELECOMMUNICATIONS POLICY COMMITTEE--DUTIES AND RESPONSIBILITIES. The duties of the committee shall be as follows:

(a) Review the CATV service within the community and make recommendations to the ((CATV grantee)) Board of Supervisors relative to changes in the service.

(b) Review specific issues at the direction of the Board of Supervisors and ascertain community needs and concerns relative to CATV by methods including but not limited to the following: (((1) Annual polling of customers; (2) annual sample of polling of non-subscribers;)) (1) polling of subscribers and non-subscribers when the Committee finds that such polls are needed in furtherance of resolving issues and questions of importance; and when the Board of Supervisors funds such polling; and when the information likely to be obtained is significant enough to serve the television interests of the City or of the public. (((3))) (2) consulting with community leaders and representatives; (((4) review of all customer complains;)) (3) reviewing unresolved complaints as deemed appropriate by the Committee to ascertain whether the complaints raise service policy questions. (((5))) (4) review construction plan and ((company)) Grantee's compliance with same; (((6))) (5) analyze the state-of-the-art including telecommunications construction, reception and programming equipment and resources.

(c) Make an annual report to the Board of Supervisors on January 1 of each year.

(d) At three year intervals beginning January 1, ((1983)) 1990 the committee shall, if warranted, recommend changes in the franchise agreement and shall present its recommendations to the Board of Supervisors through the Clerk of the Board to amend the franchise agreement.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By Theodore R. Lakey
Deputy City Attorney

DOCUMENTS DEPT.
JAN 4 1989
SAN FRANCISCO
PUBLIC LIBRARY

3596g(5625P)

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
December 5, 1988	$	December 12, 1988
	$	
	$	
Ayes: Supervisors Britt Gonzalez Hsieh Maher Molinari Nelder Silver Walker	$	Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward
	$	
Absent: Supervisors Hongisto Ward Kennedy	$	Absent: Supervisors Britt Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-88-77

DEC 16 1988
Date Approved

Mayor

FILE NO. 101-88-43 ORDINANCE NO. 534-88

RO #8131 SA #61

(Government Funding)

APPROPRIATING $850,000 FOR FACILITIES MAINTENANCE IMPROVEMENT PROJECT (JAPAN CENTER GARAGE REPAIR LOAN), PARKING AUTHORITY, FOR FISCAL YEAR 1988-89.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-071	OFF STREET PARKING FUND		
G.L. 490 (003327)	UNAPPROPRIATED REVENUE	$850,000	
36-00-00	PARKING AUTHORITY		
21-2020 (353144)	FACILITIES MAINTENANCE IMPROVEMENT PROJECT		
Project 210-01	JAPAN CENTER GARAGE REPAIR LOAN		$850,000
	TOTAL	$850,000	$850,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Thomas R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
By John C Farrell
CONTROLLER

OCT 23 1988

lp-0545R

Board of Supervisors, San Francisco

Passed for Second Reading

December 5, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Silver Walker

Absent: Supervisors Kennedy Nelder Ward

Finally Passed

December 12, 1988

Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward

Absent: Supervisors Britt Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No. 101-88-43

DEC 1
Date Approved

Mayor

DOCUMENTS DEPT.
JAN 4 1989
SAN FRANCISCO PUBLIC LIBRARY

Amended in Cmte. 11/30/88.

FILE NO. 101-88-44

ORDINANCE NO. 535-88

RO #8100 SA #51

(Government Funding)

11/30/88 BST

APPROPRIATING $12,199 FOR PERMANENT AND TEMPORARY SALARIES AND RELATED MANDATORY FRINGE BENEFITS FOR THE RECLASSIFICATION OF TWO (2) POSITIONS, PORT COMMISSION, FOR FISCAL YEAR 1988-89; SUBJECT OF A PREVIOUS BUDGETARY DENIAL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

11/30/88 BST

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
34-001	San Francisco Harbor Improvement		
GL 495 (026013)	Use of Surplus	$ 12,199	
39-00-00	PORT COMMISSION		
01-0030(593004)	Permanent Salaries		$ 4,301
04-0600	Retirement		688
04-0606	Social Security		323
04-0620	Unemployment Insurance		8
02-0200(590026)	Temporary Salaries		5,562
04-0600	Retirement		890
04-0606	Social Security		417
04-0620	Unemployment Insurance		10
	Total	$ 12,199	$ 12,199

Section 2. Funds are hereby appropriated for two (2) positions created and two (2) positions abolished by amendment to the Annual Salary Ordinance (Board of Supervisors' File No. 102-88-16) as follows:

FUND DEPARTMENT CLASSIFICATION	SAN FRANCISCO HARBOR IMPROVEMENT PORT COMMISSION RATE OF PAY	ABOLISHED	CREATED
7514 A General Laborer	$ 952 B $1,152	1	
3417 A Gardener	1,042 B 1,261		1
7215 A General Laborer Supervisor I	1,067 B 1,291	1	
7220 A Asphalt Finisher Supervisor I	1,388 B 1,682	—	1
	Totals	2	2

Section 3. This ordinance is hereby adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to the Provisions of Section 6.306 of the Charter. This item was previously requested by budget estimate and denied by the Mayor.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C Farrell
CONTROLLER

NOV 01 1988

APPROVED: CIVIL SERVICE COMMISSION

BY: John J. Walsh FR
GENERAL MANAGER, PERSONNEL

RD:chl-#0954P

DOCUMENTS DEPT.
JAN 4 1989
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 5, 1988	December 12, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Nelder Silver Walker	Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Kennedy Ward	Absent: Supervisors Britt Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No.
101-88-44

DEC 1 9 1988
Date Approved

Mayor

FILE NO. 102-88-16
PUBLIC EMPLOYMENT

ORDINANCE NO. 536-88
SAL.ORD.AMEND.NO. 14

AMEND ORDINANCE NO. 269-88 (ANNUAL SALARY ORDINANCE, 1988-89) REFLECTING THE RECLASSIFICATION OF TWO POSITIONS FOR THE PORT OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated items and section of Ordinance No. 269-88 (Annual Salary Ordinance, 1988-89) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept.:	39 Port	
		Division	03 Maintenance	
		Section:	01 Maintenance	
		Program:	2403 Maintenance	
		Fund:	34001 S.F. Harbor Quality Fund	
		Index:	593004 Maint/Eng-Genl. Ops.	
		Proj/Phase	000/00 Unassigned Title	
		Object:	003 Permanent Salaries-Craft	
1 abolished	0	7215 A	General Laborer Supervisor I. . . .	$1067B1291
1 added	1	7220 A	Asphalt Finisher Supervisor I . . .	$1388B1682
1 abolished	17	7514 A	General Laborer.	$952B1152
		Object:	001 Permanent Salaries-Miscellaneous	
1 added	1	3417 A	Gardener.	$1042B1261

APPROVED AS TO CLASSIFICATION
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 5, 1988	December 12, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Nelder Silver Walker	Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Kennedy Ward	Absent: Supervisors Britt Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
102-88-16

DEC 1 3 1988
Date Approved

Mayor

DOCUMENTS DEPT.
JAN 4 1989
SAN FRANCISCO
PUBLIC LIBRARY

File 115-88-8 Ordinance 537-88

(Van Ness Avenue Rezoning and Planning Controls)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING SECTIONS 102.8, 124, 151, 260, 270 AND 607 AND BY ADDING SECTIONS 243, 253.2 AND 607.3, TO ESTABLISH THE VAN NESS SPECIAL USE DISTRICT AND IMPOSE RESTRICTIONS ON PROPERTY WITHIN THAT DISTRICT, INCLUDING RESTRICTIONS ON THE USE OF PROPERTY, THE DEMOLITION OF RESIDENTIAL BUILDINGS, AND THE USE OF SIGNS, AND TO AUTHORIZE THE IMPOSITION OF A BUILDING SETBACK FOR SPECIFIED PROPERTY.

NOTE: Additions are underlined, deletions are indicated by ((double parentheses))

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending Sections 102.8, 124, 151, 260, 270 and 607 and by adding Sections 243, 253.2 and 607.3, as follows:

DOCUMENTS DEPT.
JAN 4 1989
SAN FRANCISCO
PUBLIC LIBRARY

SEC. 102.8. FLOOR AREA, GROSS.

In districts other than C-3, the sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the center lines of walls separating two buildings. Where columns are outside and separated from an exterior wall (curtain wall) which encloses the building space or are otherwise so arranged that the curtain wall is clearly separate from the structural members, the exterior face of the curtain wall shall be the line of measurement, and the area of the columns themselves at each floor shall also be counted.

In C-3 Districts and the Van Ness Special Use District, the sum of the gross areas of the several floors of a building or buildings, measured along the glass line at windows at a height of 4 feet above the finished floor and along a projected straight line parallel to the overall building wall plane connecting the ends of individual windows; provided, however, that such line shall not be inward of the interior face of the wall.

(a) Except as specifically excluded in this definition, gross floor area shall include, although not be limited to, the following:

(1) Basement and cellar space, including tenants' storage areas and all other space except that used only for storage or services necessary to the operation or maintenance of the building itself;

(2) Elevator shafts, stairwells, exit enclosures and smokeproof enclosures, at each floor;

(3) Floor space in penthouses except as specifically excluded in this definition;

(4) Attic space (whether or not a floor has been laid) capable of being made into habitable space;

(5) Floor space in balconies or mezzanines in the interior of the building;

(6) Floor space in open or roofed porches, arcades or exterior balconies, if such porch, arcade or balcony is located above the ground floor or first floor of occupancy above basement or garage and is used as the primary access to the interior space it serves;

(7) Floor space in accessory buildings, except for floor spaced used for accessory off-street parking or loading spaces as described in Section 204.5 of this Code, and driveways and maneuvering areas incidental thereto; and

(8) Any other floor space not specifically excluded in this definition.

(b) Gross floor area shall not include the following:

(1) Basement and cellar space used only for storage or services necessary to the operation or maintenance of the building itself;

(2) Attic space not capable of being made into habitable space;

(3) Elevator or stair penthouses, accessory water tanks, or cooling towers; and other mechanical equipment, appurtenances and areas, necessary to the operation or maintenance of the building itself, if located at the top of the building or separated therefrom only by other space not included in the gross floor area;

(4) Mechanical equipment, appurtenances and areas, necessary to the operation or maintenance of the building itself (i) if located at an intermediate story of the building and forming a complete floor level; or (ii) in C-3 districts, if located on a number of intermediate stories occupying less than a full floor level, provided that the mechanical equipment, appurtenances and areas are permanently separated from occupied floor areas and in aggregate area do not exceed the area of an average floor as determined by the Zoning Administrator;

(5) Outside stairs to the first floor of occupancy at the face of the building which the stairs serve, or fire escapes;

(6) Floor space used for accessory off-street parking and loading spaces as described in Section 204.5 of this Code and driveways and maneuvering areas incidental thereto;

(7) Arcades, plazas, walkways, porches, breezeways, porticos and similar features (whether roofed or not), at or near street level, accessible to the general public and not substantially enclosed by exterior walls; and accessways to public transit lines, if open for use by the general public; all exclusive of areas devoted to sales, service, display, and other activities other than movement of persons;

(8) Balconies, porches, roof decks, terraces, courts and similar features, except those used for primary access as described in Paragraph (a)(6) above, provided that:

(A) If more than 70 percent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot lines, and the clear space is less than 15 feet in either dimension, the area shall not be excluded from gross floor area unless it is fully open to the sky (except for roof eaves, cornices or belt courses which project not more than two feet from the face of the building wall.

(B) If more than 70 percent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high), or by such walls and interior lot lines, and the clear space is 15 feet or more in both dimensions, (1) the area shall be excluded from gross floor area if it is fully open to the sky (except for roof eaves, cornices or belt courses which project no more than two feet from the face of the building wall), and (2) the area may have roofed areas along its perimeter which are also excluded from gross floor area if the minimum clear open space between any such roof and the opposite wall or roof (whichever is closer) is maintained at 15 feet (with the above exceptions) and the roofed area does not exceed 10 feet in depth; (3) in addition, when the clear open area exceeds 625 square feet, a canopy, gazebo, or similar roofed structure without walls may cover up to 10 percent of such open space without being counted as gross floor area.

(C) If, however, 70 per cent or less of the perimeter of such an area is enclosed by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot lines, and the open side or sides face on a yard, street or court whose dimensions satisfy the requirements of this Code and all other applicable codes for instances in which required windows face upon such yard, street or court, the area may be roofed to the extent permitted by such codes in instances in which required windows are involved;

(9) On lower, nonresidential floors, elevator shafts and other life support systems serving exclusively the residential uses on the upper floors of a building;

(10) One-third of that portion of a window bay conforming to the requirements of Section 136(d)2 which extends beyond the plane formed by the face of the facade on either side of the bay but not to exceed 7 square feet per bay window as measured at each floor;

(11) Ground floor area in the C-3-O, C-3-O (SD), C-3-S, and C-3-G districts devoted to building or pedestrian circulation and building service;

(12) In the C-3-O, C-3-O (SD), C-3-S, and C-3-G districts, space devoted to personal services, restaurants, and retail sales of goods intended to meet the convenience shopping and service needs of downtown workers and residents, not to exceed 5,000 occupied square feet per use and, in total, not to exceed 75% of the area of the ground floor of the building plus the ground level, on-site open space. Said uses shall be located on the ground floor, except that, in order to facilitate the creation of more spacious ground floor interior spaces, a portion of the said uses, in an amount to be determined pursuant to the provisions of Section 309, may be located on a mezzanine level;

(13) An interior space provided as an open space feature in accordance with the requirements of Section 138;

(14) Floor area in C-3 districts devoted to child care facilities provided that:

(A) Allowable indoor space is no more or no less than 3,000 square feet and no more than 6,000 square feet; and

(B) The facilities are made available rent free; and

(C) Adequate outdoor space is provided adjacent, or easily accessible, to the facility. Spaces such as atriums, rooftops or public parks may be used if they meet licensing requirements for child care facilities; and

(D) The space is used for child care for the life of the building as long as there is a demonstrated need. No change in use shall occur without a finding by the City Planning Commission that there is a lack of need for child care and that the space will be used for a facility described in subsection 15 below dealing with cultural, educational, recreational, religious, or social service facilities;

(15) Floor area in C-3 districts permanently devoted to cultural, educational, recreational, religious or social service facilities available to the general public at no cost or at a fee covering actual operating expenses, provided that such facilities are:

(A) Owned and operated by a nonprofit corporation or institution, or

(B) Are made available rent free for occupancy only by nonprofit corporations or institutions for such functions; and

(16) In C-3 districts, floor space used for short-term parking and aisles incidental thereto when required pursuant to Section 309 in order to replace short-term parking spaces displaced by the building or buildings.

SEC. 124. **BASIC FLOOR AREA RATIO.**

(a) Except as provided in Subsections (b), (c) and (e) of this section, the basic floor area ratio limits specified in the following table shall apply to each building or development in the districts indicated.

TABLE 124
BASIC FLOOR AREA RATIO LIMITS

District	Basic Floor Area Ratio Limit
RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2	1.8 to 1
RM-3	3.6 to 1
RM-4	4.8 to 1
RC-1, RC-2	1.8 to 1
RC-3	3.6 to 1
RC-4	4.8 to 1
NC-1	1.8 to 1
NC-S, Inner Clement Street, Outer Clement Street Haight Street, North Beach, Sacramento Street, 24th Street-Noe Valley, West Portal Avenue	
NC-2, Broadway, Upper Fillmore Street, Polk Street, Valencia Street, 24th-Mission Street	2.5 to 1

TABLE 124 (con't)
BASIC FLOOR AREA RATIO LIMITS

District	Basic Floor Area Ratio Limit
Castro Street, Hayes-Gough, Upper Market Street, Union Street	3.0 to 1
NC-3	3.6 to 1
Chinatown R/NC	1.0 to 1
Chinatown VR	2.0 to 1
Chinatown CB	2.8 to 1
C-1, C-2	3.6 to 1
C-3-O	9.0 to 1
C-3-R	6.0 to 1
C-3-G	6.0 to 1
C-3-S	5.0 to 1
C-3-O (SD)	6.0 to 1
C-M	9.0 to 1
M-1, M-2	5.0 to 1

(b) In R, NC and Mixed Use districts, the above floor area ratio limits shall not apply to dwellings or to other residential uses. In NC districts, the above floor area ratio limits shall also not apply to non-accessory off-street parking. In Chinatown Mixed Use districts, the above floor area limits shall not apply to institutions, and mezzanine commercial space shall not be calculated as part of the floor area ratio.

(c) In a C-2 district the basic floor area ratio limit shall be 4.8 to 1 for a lot which is nearer to an RM-4 or RC-4 district than to any other R district, and 10.0 to 1 for a lot which is nearer to a C-3 district than to any R district. The distance to the nearest R district or C-3 district shall be measured from the midpoint of the front

line, or from a point directly across the street therefrom, whichever gives the greatest ratio.

(d) In the ((Automotive)) Van Ness Special Use District, as described in Section 237 of this Code, the basic floor area ratio limit shall be ((10.0 to 1)) 7.0 to 1 where the height limit is 130 feet and 4.5 to 1 where the height limit is 80 feet.

(e) In the Northern Waterfront Special Use Districts, as described in Sections 240 through 240.3 of this Code, the basic floor area ratio limit in any C district shall be 5.0 to 1.

(f) For buildings in C-3-G and C-3-S districts other than those designated as Significant or Contributory pursuant to Article 11 of this Code, additional square footage above that permitted by the base floor area ratio limits set forth above may be approved for construction of dwellings on the site of the building affordable for 20 years to households whose incomes are within 150 percent of the median income as defined herein, in accordance with the conditional use procedures and criteria as provided in Section 303 of this code.

(1) Any dwelling approved for construction under this provision shall be deemed a designated unit as defined below. Prior to the issuance by the Superintendent of the Bureau of Building Inspection (Superintendent) of a site or building permit to construct any designated unit subject to this Section, the permit applicant shall notify the Director of Planning and the Director of Property in writing whether the unit will be an owned or rental unit as defined in Section 313(a) of this Code.

(2) Within 60 days after the issuance by the Superintendent of a site or building permit for construction of any unit intended to be an owned unit, the Director of Planning shall notify the City Engineer in writing identifying the intended owned unit, and the Director of Property shall appraise the fair market value of such unit as of the date of the appraisal, applying accepted valuation methods, and deliver a written appraisal of the unit to the Director of Planning and the permit applicant. The permit applicant shall supply all information to the Director of Property necessary to appraise the unit, including all plans and specifications.

(3) Each designated unit shall be subject to the provisions of Sections 313(i) of this Code. For purposes of this Subsection and the application of Section 313(i) of this Code to designated units constructed pursuant to this Subsection, the

definitions set forth in Section 313(a) shall apply, with the exception of the following definitions, which shall supersede the definitions of the terms set forth in Section 313(a):

(A) "Base price" shall mean 3.25 times the median income for a family of four (4) persons for the County of San Francisco as set forth in California Administrative Code Section 6932 on the date on which a housing unit is sold.

(B) "Base rent" shall mean .45 times the median income for the County of San Francisco as set forth in California Administrative Code Section 6932 for a family of a size equivalent to the number of persons residing in a household renting a designated unit.

(C) "Designated unit" shall mean a housing unit identified and reported to the Director by the sponsor of an office development project subject to this Subsection as a unit that shall be affordable to households of low or moderate income for 20 years.

(D) "Household of low or moderate income" shall mean a household composed of one or more persons with a combined annual net income for all adult members which does not exceed 150% of the qualifying limit for a median income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in California Administrative Code Section 6932.

(E) "Sponsor" shall mean an applicant seeking approval for construction of a project subject to this Subsection and such applicants' successors and assigns.

(g) In the Mid-South of Market Special Use District, as described in Section 249.1 of this Code, the basic floor area ratio limit for office uses shall be 2.0 to 1.

(h) The allowable gross floor area on a lot which is the site of an unlawfully demolished building that is governed by the provisions of Article 11 shall be the gross floor area of the demolished building for the period of time set forth in, and in accordance with the provisions of, Section 1114 of this Code, but not to exceed the basic floor area permitted by this Section.

(i) In calculating the permitted floor area of a new structure in a C-3 district, the lot on which an existing structure is located may not be included

unless the existing structure and the new structure are made part of a single development complex, the existing structure is or is made architecturally compatible with the new structure, and, if the existing structure is in a Conservation District, the existing structure meets or is made to meet the standards of Section 1109(c), and the existing structure meets or is reinforced to meet the standards for seismic loads and forces of the 1975 Building Code. Determinations under this paragraph shall be made in accordance with the provisions of Section 309.

(j) In calculating allowable gross floor area on a preservation lot from which any TDRs have been transferred pursuant to Section 128, the amount allowed herein shall be decreased by the amount of gross floor area transferred.

SEC. 151. SCHEDULE OF REQUIRED OFF-STREET PARKING SPACES.

Off-street parking spaces shall be provided in the minimum quantities specified in the following table, except as otherwise provided in Section 161 of this Code. Where off-street parking is provided which exceeds certain amounts in relation to the quantities specified in this table, as set forth in Section 204.5 of this Code, such parking shall be classified not as accessory parking but as either a principal or a conditional use, depending upon the use provisions applicable to the district in which the parking is located. In considering an application for a conditional use for any such parking, due to the amount being provided, the City Planning Commission shall consider the criteria set forth in Section 157 of this Code.

TABLE 151
OFF-STREET PARKING SPACES REQUIRED

Use or Activity	Number of Off-Street Parking Spaces Required
Dwelling, except as specified below	One for each dwelling unit.
Dwelling RC-4 and C-3 districts, except in the Van Ness Special Use District.	One for each four dwelling units.
Dwelling, specifically designed for and occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code.	One-fifth the number of spaces specified above for the district in which the dwelling is located.
Group housing of any kind	One for each 3 bedrooms or for each 6 beds, whichever results in the greater requirement, plus one for the manager's dwelling unit if any, with a minimum of two spaces required.
Hotel, Inn or hostel in NC districts	.08 for each guest bedroom

TABLE 151 (con't)
OFF-STREET PARKING SPACES REQUIRED

Use or Activity	Number of Off-Street Parking Spaces Required
Hotel, inn or hostel	One for each 16 guest bedrooms where the number of guest bedrooms exceeds 23, plus one for the manager's dwelling unit if any.
Motel	One for each guest unit, plus one for the manager's dwelling unit if any.
Mobile home park	One for each vehicle or structure in such park, plus one for the manager's dwelling unit if any.
Hospital or other in-patient medical institution	One for each 8 beds excluding bassinets or for each 2,400 square feet of gross floor area devoted to sleeping rooms, whichever results in the greater requirement; provided, that these requirements shall not apply if the calculated number of spaces is no more than two.
Residential care facility	One for each 10 residents, where the number of residents exceeds 9.
Child care facility	One for each 25 children to be accommodated at any one time, where the number of such children exceeds 24.
Elementary school	One for each 6 classrooms.
Secondary school	One for each 2 classrooms.
Post-secondary educational institution	One for each 2 classrooms.
Church or other religious institution	One for each 20 seats by which the number of seats in the main auditorium exceeds 200.

TABLE 151 (con't)
OFF-STREET PARKING SPACES REQUIRED

Use or Activity	Number of Off-Street Parking Spaces Required
Theater or auditorium	One for each 8 seats up to 1,000 seats where the number of seats exceeds 50 seats, plus one for each 10 seats in excess of 1,000.
Stadium or sports arena	One for each 15 seats.
Medical or dental office or out-patient clinic	One for each 300 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Other business office	One for each 500 square feet occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Restaurant, nightclub, pool hall, dance hall, bowling alley or other similar enterprise	One for each 200 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Retail space devoted to the handling of bulky merchandise such as motor vehicles, machinery or furniture	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Greenhouse or plant nursery	One for each 4,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Other retail space	One for each 500 square feet of occupied floor area up to 20,000 where the occupied floor area exceeds 5,000 square feet, plus one for each 250 square feet of occupied floor area in excess of 20,000.

TABLE 151 (con't)
OFF-STREET PARKING SPACES REQUIRED

Use or Activity	Number of Off-Street Parking Spaces Required
Service, repair or wholesale sales space	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Mortuary	Five.
Storage or warehouse space, and space devoted to any use first permitted in an M-2 district	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 10,000 square feet.
Other manufacturing and industrial uses	One for each 1,500 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet.

SECTION 243 VAN NESS SPECIAL USE DISTRICT

(a) General. A Special Use District entitled the Van Ness Special Use District, the boundaries of which are shown on Sectional Map No. 2su of the Zoning Map, is hereby established for the purposes set forth below.

(b) Purposes. In order to implement the objectives and policies of the Van Ness Avenue Plan, a part of the Master Plan, which includes i) creation of a mix of residential and commercial uses on the boulevard, ii) preservation and enhancement of the pedestrian environment, iii) encouragement of the retention and appropriate alteration of architecturally and historically significant and contributory buildings, iv) conservation of the existing housing stock, and v) enhancement of the visual and urban design quality of the street, the following controls are imposed in the Van Ness Special Use District.

(c) Controls. All provisions of the City Planning Code applicable to an RC-4 District shall apply except as otherwise provided in this section.

(1) Basic Floor Area Ratio. The basic floor area ratio limit shall be 7.0 to 1 in the 130 foot height district and 4.5:1 in the 80 foot height district. These limits shall apply to dwellings notwithstanding Section 124(b) of this Code. For

definitions of floor area ratio and gross floor area, see Section 102.10. and 102.8., respectively. The provisions allowing a floor area premium set forth in Section 125(a) shall not apply in the Van Ness Special Use District.

(2) Housing Density. The restrictions on density set forth in Sections 207, 207.1, 208, 209.1 and 209.2 of this Code shall not apply.

(3) Height and Bulk Restrictions. See Height and Bulk Map No. 2H. See Section 270 of this Code for bulk limits.

(4) Signs. Signs located within the Van Ness Special Use District, with the exception of the Civic Center Special Sign District as described in Section 608.3 of this Code and as shown in Sectional Map SSD, shall be regulated as provided in Article 6, including Section 607.3 which governs signs located in the Van Ness Special Sign District.

(5) Rear Yards. The requirements of this Code applicable to rear yards may be modified or waived by the Zoning Administrator pursuant to Section 307(g) if all of the following conditions are met:

(A) The interior block open space formed by the rear yards of abutting properties will not be adversely affected; and

(B) A comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to residents; and

(C) The access of light and air to abutting properties will not be significantly impeded.

This provision shall be administered pursuant to the procedures which are applicable to variances, as set forth in Sections 306.1 through 306.5 and 308.2, of this Code.

(6) Required Setbacks. Setbacks for buildings exceeding a height of 40 feet shall be regulated as provided in Section 253.2, of this Code.

(7) Limitation of Non-Residential uses.

(A) Residential uses: Ratio established. In newly constructed structures, non-residential uses shall only be permitted if the ratio between the amount of occupied floor area for residential

uses, as defined in this paragraph below, to the amount of occupied floor area for non-residential uses is 3 to 1 or greater. In additions to existing structures which exceed 20 percent of the gross floor area of the existing structure, non-residential uses shall be permitted in the addition in excess of 20 percent only if the ratio between the amount of occupied floor area for residential use, as defined in this paragraph below, to the area of occupied floor area for non-residential use is 3 to 1 or greater. This residential use ratio shall not apply to development sites in the Van Ness Special Use District which have less than 60 feet of street frontage on Van Ness Avenue and have no street frontage other than the Van Ness Avenue frontage. For purposes of this section, non-residential uses shall mean those uses described in Sections 209.2 (d) and (e) (hotel, inn, hostel), 209.3 (a) (hospital, medical center or other medical institution with in-patient care facilities), 209.4 (community facilities), 209.5 (public facilities and utilities), 209.7 (vehicle storage and access) and 209.8 (commercial establishments), in the Automotive Special Use District non-residential uses include automotive uses as described in Section 237; residential use shall mean those uses described in 209.1 and 209.2 (a) (b) and (c) (dwelling units and group housing).

(B) Reduction of Ratio of Residential Uses for Affordable Housing. The City Planning Commission may modify the Van Ness Special Use District residential to non-residential use ratio between Golden Gate Avenue and California Street as a Conditional Use in one of the following ways.

(1) In-Lieu Fee. By Conditional Use, the developer may elect to fulfill the obligation to build housing by paying an in-lieu fee to the Affordable Housing Fund as provided in Section 312 of this Code. No more that a 50% reduction of the required housing for a specific project can be fulfilled by paying an in-lieu fee. Use of these funds shall provide affordable housing within 2,000 feet of the Van Ness Special Use District. The in-lieu fee shall be determined by the following formula:

(1) ((Lot Area X FAR) / 4) X 3 = Residential SQFT Requirement

(2) Residential SQFT Requirement - Residential SQFT Developed = LOSS

(3) LOSS X $30 = In-Lieu Fee

(ii) Providing Affordable Housing. By Conditional Use, the developer may reduceup to 50% of the required amount of on-site housing by maintaining a portion of that housing as permanently affordable for the life of the project. Affordable units shall be managed by a non-profit housing agency through a duly executed agreement between the project sponsor, the non-profit agency and the Planning Department. The mix of affordable units retained in the project shall conform to the overall dwelling unit size mix of the project. The portion of retained residential which shall be affordable will be determined by calculating the number of market rate units which could be subsidized by the amount of "in-lieu fee" calculated in paragraph (i) above. The number of square feet of affordable housing shall be calculated in the following manner:

(1) In-Lieu Fee/($60/square foot subsidy) = Square Feet of Affordable Housing Retained in the Project

(iii) Annual Reporting, Evaluation and Adjustments to Affordability and Fee Calculations. The Department shall report annually to the Planning Commission on the activity and utilization of Section 243(c)(7)(B). Based on an evaluation of this report, the Planning Commission may initiate a modification or deletion of Section 243(c)(7)(B).

The dollar amounts used in the calculation for paragraphs (i) and (ii) of this subsection shall be subject to annual adjustments in accord with Section 313(f)(1) of this Code. Affordability shall be defined by rents or sale prices affordable by households with no more than 80% of median income standards developed by HUD.

(C) Off-site provision of required residential space. For the purpose of calculating the 3 to 1 ratio between residential and non-residential use, two or more projects for new construction within the Van Ness Special Use District may be considered and approved together as linked projects. The requirements of paragraph A above may be satisfied if the aggregate amount of occupied floor area for residential use in two or more linked projects is at least three times greater than the aggregate amount of occupied floor area for non-residential use.

(i) Those building permit applicants who wish to link two or more projects for the purpose of meeting the 3 to 1 residential to non-residential ratio shall file with the Department of City Planning a statement of intent identifying the applications covering the projects that are to be considered and approved together.

(ii) When the Department of City Planning approves an application for a project containing only non-residential use and the project is linked to one or more other projects pursuant to the statement of intent filed with the Department, it shall include as a condition of approval a requirement prohibiting the project sponsor from commencing any work on the site until the Zoning Administrator issues a written determination that such work may proceed. The Zoning Administrator shall not issue such a determination until those permits authorizing the projects containing residential use have been issued and foundations have been completed at each such site;

(iii) If a permit for a project containing non-residential use expires because of delays in the completion of foundations for linked projects containing residential uses, new permits may be approved for the non-residential project within three years of such expiration without regard to the 3 to 1 residential ratio requirement if a Temporary Certificate of Occupancy or a Permit of Occupancy has been issued for each project containing residential use;

(iv) No building or portion of a building approved as a linked project that contains residential use required to meet the 3 to 1 residential to non-residential ratio requirement shall be used for any non-residential purposes; provided, however, that this restriction shall no longer apply if 50 per cent or more of the non-residential occupied floor area in the linked projects has been converted to residential use, or has been demolished, or has been destroyed by fire or other act of God.

(v) The Zoning Administer shall impose as a condition of approval of a permit authorizing the residential uses of linked projects the requirement that the owner record in the land records of the property a notice of restrictions, approved as to form by the Zoning Administrator, placed on the use of the property by this section.

(D) Non-conforming uses. A use which existed lawfully at the effective date of this section and which fails to conform to the use limitation of Section 237(c) 7.A. above, shall be considered a non-conforming use and subject to the provisions of Sections 180-188 of this Code, including the provisions of Section 182 regarding change of use, except as follows:

(1) In calculating the cost of structural alterations pursuant to Section 181(b)4, the cost of reinforcing the building to meet the standards for seismic loads and forces of the 1975 Building Code shall not be included; and

(ii) Notwithstanding the provisions of Section 181(b), the structure occupied by the nonconforming use may be enlarged by an amount equal to 20 percent of the gross floor area of the existing structure.

(E) Ground story uses. Parking shall not be permitted on the ground story of lots abutting Van Ness Avenue to a depth of 25 feet from Van Ness Avenue. At least one-half the total width of structures at the ground story on lots abutting Van Ness Avenue shall be devoted to entrances, windows or display space . Every window located at the ground story shall use clear, untinted glass, except for decorative or architectural accent. Any decorative railings or grille work, other than wire mesh, shall be at least 75 per cent open to view and no more than six feet in height above grade. For the purposes of this section, ground story shall be defined as the portion of a building included between the upper surface of the lowest floor and the upper surface of the floor next above, provided such floor level is not more than 4 feet below grade for more than 50 percent of the total perimeter, or more than 8 feet below grade at any point.

(F) Fast Food Uses. Fast food and small self-service uses shall be permitted only as conditional uses pursuant to Section 303 of this Code. For the purposes of this section, fast food use shall be defined as in Section 790.90 and small self-service as in Section 790.91 of this Code.

(G) Drive Up Facilities. Drive-up facilities are not permitted. For the purposes of this section, drive-up facilities shall be defined as structures designed primarily for drive-to or drive-through trade which provides service to patrons while in private motor vehicles.

(H) Demolitions. All demolitions of buildings containing residential use and all conversions from residential uses to non-residential uses above the ground floor shall be permitted only if authorized as a conditional use under Section 303 of this Code, unless the Superintendent of the Bureau of Building Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines that the building is unsafe or dangerous and that demolition is the only feasible means to secure the public safety. When considering whether to grant a conditional use permit for the demolition or conversion, in lieu of the criteria set forth in Planning Code Section 303, consideration shall be given to the adverse impact on the public health, safety and general welfare of the loss of housing stock in the district and to any unreasonable hardship to the applicant if the permit is denied. The definition of residential use shall be as set forth in Section 237.1(c)7.A, but shall not include any guest room in a building classified as a Residential Hotel subject to the Residential Hotel Unit Conversion and Demolition Ordinance.

A conditional use permit shall not be required if the demolition permit is sought in order to comply with a Court order directing or permitting the owner to demolish a building because it is unsafe. No person shall be permitted to construct anything on the site of a demolished building subject to such an order for a period of 2 years unless (a) the proposal is for at least the same number and size of dwelling units and guest rooms and the same amount of non-residential floor area as that which was demolished or (b) the applicant request and is granted an exemption from this requirement on the ground that the applicant has demonstrated that (1) the need for demolition did not arise because of the deliberate or unreasonable neglect of the maintenance of the building, or that (2) the restrictions would cause undue hardship to the property owner or that (3) the restrictions would ((constitute an unconstitutional taking of property without just compensation)) leave the property without any substantial remaining market value or reasonable use.

(I) Parking. Pursuant to Table 151 in Article 1.5 of this Code, the residential parking requirement shall be one space for each dwelling unit; provided, however, that the parking requirement may be reduced to not less than one space for each four dwelling units, if the Zoning Administrator determines that the reduced parking requirement is sufficient to serve the reasonably anticipated auto usage by residents and visitors to the project. The procedures and fee for such review shall be the same as those which are applicable to variances, as set forth in Sections 306.1 through 306.5 and 308.2.

(8) Reduction of Ground Level Wind Currents.

(A) New buildings and additions to existing buildings shall be shaped, or other wind baffling measures shall be adoped, so that the development will not cause year round ground level wind currents to exceed, more that 10 percent of the time, between 7 a.m. and 6 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of pedestrian use and 7 m.p.h. equivalent wind speed in public seating areas. When pre-existing ambient wind speeds exceed the comfort levels specified above, the building shall be designed to reduce the ambient wind speeds in efforts to meet the goals of this requirement.

(B) An exception to this requirement may be permitted but only if and to the extent that the project sponsor demonstrates that the building or addition cannot be shaped or wind baffling measures cannot be adopted without unduly restricting the development potential of the building site in question.

(1) The exception may permit the building or addition to increase the time that the comfort level is exceeded, but only to the extent necessary to avoid undue restriction of the development potential of the site.

(ii) Notwithstanding the above no exception shal be allowed and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 m.p.h. for a single hour of the year.

(C) For the purposes of this section, the term "equivalent wind speed" shall mean an hourly wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians.

SEC. 253.2 REVIEW OF PROPOSED BUILDINGS AND STRUCTURES IN THE VAN NESS SPECIAL USE DISTRICT.

(a) Setbacks. In the Van Ness Special Use District, as designated on Sectional Map 2su of the Zoning Map, any new construction exceeding 40 feet in height or any alteration that would cause a structure to exceed 40 feet in height shall be permitted only as a conditional use upon approval by the City Planning Commission according to Section 303 of this Code. When acting on any conditional use application pursuant to this section, the City Planning Commission may impose the following requirements in addition to any others deemed appropriate:

(1) On Van Ness Avenue. The City Planning Commission may require a set-back of up to 20 feet at a height of 50 feet or above for all or portions of a building if it determines that this requirement is necessary in order to maintain the continuity of the prevailing street wall height established by the existing buildings along Van Ness Avenue within two blocks of the proposed building.

(2) On Pine, Sacramento, Clay, Washington and California Streets. The City Planning Commission may require a set-back of up to 15 feet for all or a portion of a building on any lot abutting Pine, Sacramento, Clay, California and Washington Streets which lot is located within the Van Ness Special Use District in order to preserve the existing view corridors.

SEC. 260. HEIGHT LIMITS: MEASUREMENT.

(a) Method of measurement. The limits upon the height of buildings and structures shall be as specified on the Zoning Map. In the measurement of height for purposes of such limits, the following rules shall be applicable:

(1) The point above which such measurements shall be taken shall be as specified in the definition of "height" in this Code.

(2) The upper point to which such measurement shall be taken shall be the highest point on the finished roof in the case of a flat roof, and the average height of the rise in the case of a pitched or stepped roof, or similarly sculptured roof form or any higher point of a feature not exempted under Subsection (b) below.

(3) In cases where the height limit is 65 feet or less and a street from which height measurements are made slopes laterally along the lot, or the ground slopes laterally on a lot that also slopes upward from the street, there shall be a maximum width for the portion of the building or structure that may be measured from a single point at curb or ground level, according to the definition of "height", as specified in the following table. These requirements shall not apply to any property to which the bulk limitations in Section 270 of this Code are applicable.

TABLE 6

HEIGHT MEASUREMENT ON LATERAL SLOPES WHERE HEIGHT LIMIT IS 65 FEET OR LESS

Average Slope of Curb or Ground From Which Height is Measured	Maximum Width for Portion of Building that May Be Measured from a Single Point
5 percent or less	No requirement
More than 5 percent but no more than 15 percent	65 feet
More than 15 percent but no more than 20 percent	55 feet
More than 20 percent but no more than 25 percent	45 feet
More than 25 percent	35 feet

(b) Exemptions. In addition to other height exceptions permitted by this Code, the features listed in this subsection shall be exempt from the height limits established by this Code, in an amount up to but not exceeding that which is specified.

(1) The following features shall be exempt; provided the limitations indicated for each are observed; provided further that the sum of the horizontal areas of all features listed in this Paragraph (b)1 shall not exceed 20 percent of the horizontal area of the roof above which they are situated, or, in C-3 districts, where the top of the building has been separated into a number of stepped elements to reduce the bulk of the upper tower, of the total of all roof areas of the upper tower, or in the Rincon Hill Special Use District, where the top of the building has been separated into a number of stepped elements to reduce the bulk of the upper tower, of the total of all roof areas of the upper towers; and provided further that in any R, RC-1, RC-2, RC-3, or RC-4 district the sum of the horizontal areas of all such features located within the first 10 feet of depth of the building, as measured from the front wall of the building, shall not exceed 20 percent of the horizontal area of the roof in such first 10 feet of depth.

As an alternative, the sum of the horizontal areas of all features listed in this Paragraph (b)1 may be equal but not exceed 20 percent of the horizontal area permitted for buildings and structures under any bulk limitations in Section 270 of this Code applicable to the subject property.

Any such sum of 20 percent heretofore described may be increased to 30 percent by unroofed screening designed either to obscure the features listed under (A) and (B) below or to provide a more balanced and graceful silhouette for the top of the building or structure.

(A) Mechanical equipment and appurtenances necessary to the operation or maintenance of the building or structure itself, including chimneys, ventilators, plumbing vent stacks, cooling towers, water tanks, panels or devices for the collection of solar or wind energy and window washing equipment, together with visual screening for any such features. This exemption shall be limited to the top 10 feet of such features where the height limit is 65 feet or less, and the top 16 feet of such features where the height limit is more than 65 feet.

(B) Elevator, stair and mechanical penthouses, fire towers, skylights and dormer windows. This exemption shall be limited to the top 10 feet of such features where the height limit is 65 feet or less, and the top 16 feet of such features where the height limit is more than 65 feet.

(C) Stage and scenery lofts.

(D) Ornamental and symbolic features of public and religious buildings and structures, including towers, spires, cupolas, belfries and domes, where such features are not used for human occupancy.

(E) In any C-3 district, enclosed space related to the recreational use of the roof, not to exceed 16 feet in height.

(F) In any C-3 district, additional building volume used to enclose or screen from view the features listed under (b)1(A) and (B) above. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this subsection but shall meet the requirements of Section 141 and shall not exceed twenty feet in height, measured as provided in subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to three/fourths of the horizontal area of all upper tower roof areas of the building measured before the addition of any exempt features times twenty.

(G) In any C-3 district, vertical extensions to buildings, such as spires, which enhance the visual appearance of the structure and are not used for human occupancy may be allowed, pursuant to the provisions of Section 309, up to 75 feet above the height otherwise allowed. The extension shall not be subject to the percentage coverage limitations otherwise applicable to this subsection, provided that the extension is less than 100 square feet in cross section and 18 feet in diagonal dimension.

(H) In the Rincon Hill Special Use District, enclosed space related to the recreational use of the roof, not to exceed 16 feet in height.

(I) In the Rincon Hill Special Use District, additional building volume used to enclose or screen from view the features listed under (b)1(A) and (B) above. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this subsection but shall meet the requirements of Section 141 and shall not exceed twenty feet in height, measured as provided in subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to three/fourths of the horizontal area of all upper tower roof areas of the building measured times twenty.

(J) In the Van Ness Special Use District, additional building volume used to enclose or screen from view the features listed under (b)1(A) and (B) above and to provide additional visual interest to the roof of the structure. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this subsection but shall meet the requirements of Section 141 and shall not exceed ten feet in height where the height limit is 65 feet or less or 16 feet where the height limit is more than 65 feet, measured as provided in subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to three/fourths of the horizontal area of all upper tower roof areas of the building measured before the addition of any exempt features times ten where the height limit is 65 feet or less or times 16 where the height limit is more than 65 feet.

(2) The following features shall be exempt, without regard to their horizontal area, provided the limitations indicated for each are observed.

(A) Railings, parapets and catwalks, with a maximum height of four feet.

(B) Open railings, catwalks and fire escapes required by law, wherever situated.

(C) Unroofed recreation facilities with open fencing, including tennis and basketball courts at roof level, swimming pools with a maximum height of four feet and play equipment with a maximum height of 10 feet.

(D) Unenclosed seating areas limited to tables, chairs and benches, and related wind screens, lattices and sunshades with a maximum height of 10 feet.

(E) Landscaping, with a maximum height of four feet for all features other than plant materials.

(F) Short-term parking of passenger automobiles, without additional structures or equipment other than trellises or similar overhead screening for such automobiles with a maximum height of eight feet.

(G) Amusement parks, carnivals and circuses, where otherwise permitted as temporary uses.

(H) Flag poles and flags, clothes poles and clothes lines, and weather vanes.

(I) Radio and television antennae where permitted as accessory uses and towers and antennae for transmission, reception, or relay of radio, television, or other electronic signals where permitted as principal or conditional uses, subject to the limitations of subsections 227(h) and (i) of this Code and limitations imposed by the City Planning Commission.

(J) Warning and navigation signals and beacons, light standards and similar devices, not including any sign regulated by this Code.

(K) Public monuments owned by government agencies.

(L) Cranes, scaffolding and batch plants erected temporarily at active construction sites.

(M) Structures and equipment necessary for the operation of industrial plants, transportation facilities, public utilities and government installations, where otherwise permitted by this Code and where such structures and equipment do not contain separate floors, not including towers and antennae for transmission, reception, or relay of radio, television, or other electronic signals where permitted as principal or conditional uses by this Code.

(N) Buildings, structures, and equipment of the San Francisco Port Commission, where not subject to this Code due to provisions of the San Francisco Charter or State law.

SEC. 270. BULK LIMITS: MEASUREMENT.

(a) The limits upon the bulk of buildings and structures shall be as stated in this section and in Section 271 and 272. The terms "height", "plan dimensions", "length" and "diagonal dimensions" shall be as defined in this Code. In each height and bulk district, the maximum plan dimensions shall be as specified in the following table, at all horizontal cross sections above the height indicated.

TABLE 7

BULK LIMITS

District Symbol on Zoning Map	Height Above Which Maximum Dimensions Apply (in feet)	Maximum Plan Dimensions (in feet) Length	Diagonal Dimension
A	40	110	125
B	50	110	125
C	80	110	125
D	40	110	140
E	65	110	140
F	80	110	140
G	80	170	200
H	100	170	200
I	150	170	200
J	40	250	300
K	60	250	300
L	80	250	300
M	100	250	300
N	40	50	100
R	51	200	200
R	105	110	125
V		110	140
V	* At setback height established pursuant to Section 253.2		
OS	See Section 290.		
S	This table not applicable. But see Section 270(d).		
T	At setback height established pursuant to Section 132.2, but no higher than 80 feet.		
X	This table not applicable. But see Section 260(a)3.		

(b) These limits shall not apply to the buildings, structures and equipment listed in Section 260(b)2(K), (L), (M) and (N) of this Code, subject to the limitations expressed therein.

(c) Maximum plan lengths and diagonal dimensions do not apply to cornices or other decorative projections.

(d) The bulk limits contained in this subsection shall apply in S Bulk Districts as designated on Sectional Map Nos. 1H, 2H and 7H of the Zoning Map.

(1) Base. The base is the lowest portion of the building extending vertically to a streetwall height up to 1.25 times the width of the widest abutting street or 50 feet, whichever is more. There are no length or diagonal dimension limitations applicable to the base. The building base shall be delineated from the lower and upper tower and related to abutting buildings by a setback, cornice line or equivalent projection or other appropriate means.

(2) Lower Tower.

(A) Dimensions. Bulk controls for the lower tower apply to that portion of the building height above the base as shown on Chart B. For buildings of less than 160 feet in height, the lower tower controls are the only bulk controls above the base of the building. The bulk controls for the lower tower are a maximum length of 160 feet, a maximum floor size of 20,000 square feet, and a maximum diagonal dimension of 190 feet.

(B) Additional Bulk for Elevators. Solely in order to accommodate additional elevators required by tall buildings the lower portion (up to the height shown on Chart B) of the lower tower of a building 500 feet tall or taller may be enlarged up to a maximum length of 190 feet, a maximum diagonal dimension of 230 feet and a maximum floor size of up to 25,000 square feet without a corresponding reduction in upper floor size.

(3) Upper Tower

(A) Dimensions. Upper tower bulk controls apply to buildings taller than 160 feet. They apply to the upper tower portion of a building up to the height shown on Chart B which height excludes the vertical attachment and other

features exempted by Section 260 and excludes the extended upper tower height exceptions provided for in Section 263.7 of this Code. The bulk controls for the upper tower are: a maximum length of 130 feet; a maximum average floor size of 12,000 square feet; a maximum floor size for any floor of 17,000 square feet; and a maximum average diagonal measure of 160 feet. In determining the average floor size of the upper tower, areas with a cross sectional area of less than 4,000 square feet may not be counted and sculptured architectural forms that contain large volumes of space but no usable floors shall be included in average floor size calculation by computing the cross section at 12.5 foot intervals.

(B) Volume Reduction. When the average floor size of the lower tower exceeds 5,000 square feet, the volume of the upper tower shall be reduced to a percentage of the volume that would occur if the average floor size of the lower tower were extended to the proposed building height. The percentage varies with the bulk of the lower tower and with whether or not a height extension is employed pursuant to Section 263.7 and is shown on Chart C. In achieving the required volume reduction, a setback or change in profile at a specific elevation is not required.

(C) Extensions. Extensions of the Upper Tower above the otherwise allowable height limits may be permitted as provided in Section 263.7.

(D) Termination of the Tower. The top of the tower shall be massed in a manner that will create a visually distinctive roof or other termination of the building facade. Modifications to a proposed project may be required, in the manner provided in Section 309, to achieve this purpose.

(e) In bulk district R, bulk limitations are as follows:

(1) Between 51 and 105 feet in height, the maximum plan dimensions measured diagonally may not exceed 200 feet, and the average individual floor area may not exceed 20,000 gross square feet.

(2) Above 105 feet in height, each side of the building shall be limited to 110 feet in length, and maximum plan dimensions measured diagonally may not exceed 125 feet except for the lower one-third of the structure above 105 feet, which shall be subject to Subsection (3) below; the average floor area of all floors above 105 feet may not exceed 7,500 gross square feet.

(3) The volume of the upper one-third of the structure above 105 feet shall be at least 15% less than the volume of the middle one-third above 105 feet, and the volume of the lower one-third of the structure above 105 feet shall be at least 15% more than the volume of the middle one-third above 105 feet.

(4) In order to provide light and air between structures and to avoid excessive screening of downtown views from the bridge, distances between structures in height districts above 105 feet should not be less than 150 feet.

SEC. 607. COMMERCIAL AND INDUSTRIAL DISTRICTS

(e) Illumination. Any sign may be nonilluminated or directly illuminated. Signs in C-3, C-M, M-1, and M-2 districts shall not be limited in any manner as to type of illumination, but no sign in a C-1 or C-2 District shall have or consist of any flashing,blinking, fluctuation or otherwise animated light except in each of the following special sign districts, all as specifically designated as "Special Districts for Sign Illumination" on Map SSD of the Zoning Map of the City and County of San Francisco, described in Section 608 of this Code:

(1) In the C-2 area consisting of five blocks in the vicinity of Fisherman's Wharf;

(2) In the ((C-2)) area in the vicinity of Van Ness Avenue from Golden Gate Avenue and Eddy Street to Sacramento Street, and Polk Street from Eddy to Geary Street, also know as the Automotive Special Use District;

(3) In the C-2 area in the vicinity of Stockton, Washington and Kearny Streets and Broadway, also known as Washington-Broadway Special District Number 1.

SEC. 607.3 VAN NESS SPECIAL SIGN DISTRICT.

(a) General. Signs located within the Van Ness Special Use district with the exception of the Civic Center Special Sign District as shown in Sectional Map SSD, shall be regulated by the provisions of Article 6 and those set forth below, except for those signs which are exempt pursuant to Section 603. In the event of conflict between the provisions of this Section and those of Article 6, the provisions of this Section shall prevail in the Van Ness Special Use district.

(b) Purposes. In addition to the purposes stated in Section 101 and 601 of this Code, the following purposes apply to the Van Ness Special Use district. These purposes constitute findings that form a basis for regulations and provide guidance for their application.

(1) As Van Ness Avenue changes from an automotive oriented area to a mixed-use, predominantly residential district, it needs to maintain its attractiveness to business customers and residents alike. Physical amenities and a pleasant appearance will benefit both existing and new enterprises.

(2) The character of signs and other features projecting from buildings is an important part of the visual appeal of a street and the general quality and economic stability of the area. Opportunities exist to relate these signs and projections more effectively to street design and building design. These regulations establish a framework that will contribute toward a coherent appearance of the Van Ness Special Use District.

(3) The Van Ness Special Use district is intended to be a mixed-use area with commercial units on the ground or lower stories and residential uses on upper stories. Although signs and other advertising devices are essential to a vital commercial district, they should not be allowed to interfere with or diminish the livability of residential units within the Van Ness Special Use District or in adjacent residential districts.

(4) The scale of the Van Ness Special Use district as characterized by building height, bulk, and appearance, and by the width of streets and sidewalks, differs from that of other commercial and industrial districts. Sign sizes should relate and be compatible with the surrounding district scale.

(c) Controls.

(1) Signs or Sign Features Not Permitted in the Van Ness Special Use District. Roof signs as defined in Section 602.16 are not permitted.

(2) Identifying Signs. Identifying signs, as defined in Section 602.9, shall be permitted in the Van Ness Special Use District subject to the limits set forth below.

(A) An identifying sign shall not exceed 20 square feet in area. The sign may be a wall sign or a projecting sign. A wall sign or projecting sign shall be mounted at or below the level of the lowest residential window sill or 25 feet, whichever is lower. Such sign may be non-illuminated, indirectly illuminated, or directly illuminated. For the purposes of this section, wall signs shall be defined as signs placed flat against a building wall with its copy parallel to the wall to which it is attached and not protruding more than the thickness of the sign cabinet.

(B) One name plate, as defined in Section 602.12, not exceeding an area of six square feet, shall be permitted for each resident and occupant of the building.

(3) General Advertising Signs. General advertising signs, as defined in Section 602.7, shall be permitted in the Van Ness Special Use districts as provided below. General advertising signs may be either a wall sign or a freestanding sign, provided that the surface of any freestanding sign shall be parallel to and within 3 feet of an adjacent building wall. The building wall shall form a complete backdrop for the wall sign, as the sign is viewed from those points on a street or alley from which it is legible. Signs painted directly on a building wall shall be considered general advertising signs for the purposes of this Section. No general advertising sign shall be permitted to cover part or all of any window. No more than one general advertising sign of 300 square feet or two general advertising signs of 72 square feet each shall be permitted per lot. The height of any such sign shall not exceed 36 feet, or the height of the wall to which it is attached or before which it is placed, or the height of the lowest residential window sill located in the wall to which the sign is attached or before which it is placed, whichever is lowest.

Signs may be either non-illuminated, directly or indirectly illuminated. All general advertising signs shall conform to the provisions of Section 5408 of the California Business and Proffessional Code ((Title 4, Chapter 6 of the California Administrative Code (Outdoor Advertising Act))), including the requirement that no advertising display shall be placed within 100 feet from another advertising display on the same side of Van Ness Avenue.

(4) **Business Signs.** Business Signs, as defined in Section 602.3, shall be permitted subject to the following restrictions:

(A) **Window Signs.** The total area of any window sign, as defined in Section 602.1(b), shall not exceed one-third the area of the window on or in which the sign is located. Such signs may be non-illuminated, indirectly illuminated, or directly illuminated. For purposes of this section, window signs shall be defined as signs placed directly on the surface of the glass inside the building.

(B) **Wall signs.** The area of any wall sign shall not exceed 3 square feet per foot of street frontage occupied by the building on which the sign is located. The height of any wall sign shall not exceed 45 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. Such signs may be non-illuminated, indirectly, or directly illuminated.

(C) **Projecting Signs.** The area of any projecting sign shall not exceed 36 square feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lowest. No part of the sign shall project more than 6 feet from the property line. Such signs may be non-illuminated, indirectly, or directly illuminated.

(D) **Signs on Awnings and Marquees.** Sign copy may be located on permitted awnings and marquees in lieu of projecting signs. The area of such sign copy shall not exceed 60 square feet. Such sign copy may be non-illuminated, indirectly illuminated or directly illuminated.

(E) **Freestanding Signs and Sign Towers.** Freestanding signs and sign towers shall not be permitted in the Van Ness Special Sign District except as provided in Section 606.(c).1.

(F) **Automotive Gas and Service Stations.** For automotive gas and service stations, only the following signs are permitted:

(i) A maximum of two oil company signs, which shall not extend more than 10 feet above the roof line if attached to a building, or exceed 24 feet in height if free standing. The area of any such sign shall not exceed 180 square feet. Along each street frontage, all parts of such a sign or signs that are within 10 feet of the street property line shall not exceed 80 square feet in area. No such sign shall project more than five feet beyond any property line. The areas of other permanent and temporary signs as covered in sub-paragraph (ii) below shall not be included in the calculation of the areas specified in this subsection.

(ii) Other permanent and temporary signs customarily incidental to the service station business, not to exceed 30 square feet in area for each such sign or a total of 180 square feet for all such signs on the premises. No such sign shall extend above the roof line if attached to a building, or in any case project beyond any street property line or building set-back line.

(5) **Temporary Signs.** Temporary signs permitted in the Van Ness Special Use District are sale or lease signs as defined in Section 602.17 and construction signs giving the names of persons and firms connected with work on buildings under actual construction or alteration and information pertinent to the project. One sign per lot not exceeding 50 square feet shall be permitted and conform to all regulations of set forth in Section 607 (f). All temporary signs shall be promptly removed upon removal of the property from the market or completion of the construction activity.

(6) Maintenance and Removal of Signs. Every business and identifying sign shall be adequately maintained in its appearance, or else removed or obscured. When the business, service, industry, use or activity for which a business sign or identifying sign has been erected has ceased operation on the premises, all such signs pertaining to such establishment shall be removed or obscured within 180 days.

(7) Additional Controls. Additional sign controls apply to certain areas of the Van Ness Special Use District designated as Special Sign Districts. Special Sign Districts are described within Sections 608.1 through 608.11 of this Code and, with the exception of Sections 608.1, 608.2 and 608.11, their designations, locations and boundaries are provided on Sectional Map SSD of the Zoning Map of the City and County of San Francisco.

APPROVED AS TO FORM

LOUISE RENNE, City Attorney

By: Deputy City Attorney

DEAN L. MACRIS, Planning Director

Dean L. Macris

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 5, 1988	December 12, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Nelder Silver Walker	Ayes: Supervisors Gonzalez Hsieh Maher Nelder Silver Walker Ward
Excused: Supervisors Molinari	Excused: Supervisors Molinari
Absent: Supervisors Kennedy Maher Ward	Absent: Supervisors Britt Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 115-88-8

DEC 16 1988
Date Approved

Mayor

ORIGINAL

Amendment of the Whole 11/30/88.

FILE NO. 127-88-1.2

ORDINANCE NO. 538-88

(Business Tax Registration Fee)

AMENDING PART III OF THE SAN FRANCISCO MUNICIPAL CODE BY ADDING SECTION 1007.2. THERETO TO EXEMPT BUSINESSES WITH ANNUAL GROSS RECEIPTS OF LESS THAN $15,000 FROM THE REGISTRATION FEE.

NOTE: Additions and substitutions are underlined;
Deletions are indicated by ((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Part III of the San Francisco Municipal Code is hereby amended by adding Section 1007.2 thereto as follows:

Section 1007.2. Business Tax Registration Fee - Exceptions.

Notwithstanding any other provision of this article, the $200 fee shall not apply, and the Tax Collector shall issue a certificate of authority pursuant to the provisions of Section 1007 without requiring the $200 fee, to businesses with annual gross receipts of less than $15,000 in the previous tax year.

For the purpose of this exemption, "gross receipts" means the total gross receipts of a business whether or not the gross receipts are taxable or are attributable to business within the City and County of San Francisco, except that for new businesses, gross receipts shall be based upon estimated gross receipts for the current tax year as projected by the Tax Collector.

The Tax Collector shall refund the $200 fee paid by any business exempted from payment under this section, provided that a refund claim has been filed in accordance with the provisions of Section 1017 of this article.

Approved as to Form:

LOUISE H. RENNE, CITY ATTORNEY

By _____
Deputy City Attorney

3319g

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 5, 1988	December 12, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Nelder Silver Walker	Ayes: Supervisors Britt Gonzalez Hongisto Nelder Silver Walker Ward
Noes: Supervisors Hsieh Maher Molinari	Noes: Supervisors Hsieh Kennedy Maher Molinari
Absent: Supervisors Kennedy Ward	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

DEC 16 1988

DEC 16 1988

Date Approved

John Taylor
Clerk

Mayor

File No.
127-88-1.2

DOCUMENTS DEPT.
JAN 4 1989
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 101-88-46 ORDINANCE NO. 539-88

RO# 8130 SA #65

(Government Funding)

APPROPRIATING $56,000,000 FOR CAPITAL IMPROVEMENT PROJECTS (SAN ANDREAS WATER TREATMENT EXPANSION AND PUMP STATION IMPROVEMENTS, CALAVERAS PIPELINE CONSTRUCTION AND SAN ANTONIO PUMP STATION IMPROVEMENTS AND SUNOL WATER TREATMENT PLANT IMPROVEMENTS), AND RESCINDING $43,500,000 FROM CAPITAL IMPROVEMENT PROJECT (CONSTRUCTION OF CRYSTAL SPRINGS WATER TREATMENT PLANT), WATER DEPARTMENT, FOR FISCAL YEAR 1988-89.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
32-885	1985 Water Revenue Bonds		
GL 495 (048207)	Year End Surplus	$12,500,000	
21-2030 (689075)	Capital Improvement Project		
Project 101-03	Crystal Springs Water Treatment Plant	43,500,000	
47-00-00	Water Department		
21-2030 (688945)	Capital Improvement Project		
Project 101-02	San Andreas WTP Expansion and Pump Station Improvements		$21,000,000
21-2030 (692277)	Capital Improvement Project		
Project 102-01	Calaveras P/L Construction and San Antonio Pump Station Improvement		27,000,000
21-2030 (692285)	Capital Improvement Project		
Project 103-01	Sunol WTP Improvements		8,000,000
	Total	$56,000,000	$56,000,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
[signature] John C. Farrell
CONTROLLER

0545R

NOV 02 1988

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 5, 1988	December 12, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Silver Walker	Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Kennedy Nelder Ward	Absent: Supervisors Britt Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-88-46

DEC 19 1988
Date Approved

[signature]
Mayor

DOCUMENTS DEPT.
JAN 4 1989
SAN FRANCISCO PUBLIC LIBRARY

Amendment of the Whole 12/7/88.

FILE NO. 101-88-55

ORDINANCE NO. 540-88

RO #8155

(Government Funding)

APPROPRIATING $28,000 FOR PROGRAM PROJECT (GANG VIOLENCE SUPPRESSION PROGRAM), AND RESCINDING $28,000 FROM PERMANENT SALARIES - UNIFORM, POLICE DEPARTMENT FOR FISCAL YEAR 1988-89.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
38-02-51	Police - Field Operations - District Policing		
01-0020 (582015)	Permanent Salaries - Uniform	$28,000	
38-03-13	Police - Vice Crimes Investigation		
20-2010 (580548)	Program Project		
Project #101-01	Gang Violence Suppression Program		
10-1100	Local Share Grant Match		$28,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C. Farrell
CONTROLLER

DEC 07 1988

ac(0959P11)

Board of Supervisors, San Francisco

Passed for Second Reading

December 12, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker

Finally Passed

December 19, 1988

Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John Taylor
Clerk

File No. 101-88-55

DEC 20 1988
Date Approved

Mayor

DOCUMENTS DEPT.
JAN 4 1989
SAN FRANCISCO PUBLIC LIBRARY

Amendment of the Whole 11/30/88.
Amended in Cmte. 12/7/88.

FILE NO. 101-88-45

ORDINANCE NO. 541-88

RO #8001 SA #49

(Government Funding)

12/7/88 BST

APPROPRIATING ~~$35,000,000~~ $34,739,230 FOR VARIOUS CAPITAL IMPROVEMENTS (SAN FRANCISCO UNIFIED SCHOOL DISTRICT - PROP A BOND PROGRAM), FOR THE CREATION OF ~~TWELVE (12)~~ ELEVEN (11) POSITIONS, COUNTY EDUCATION OFFICE, SAN FRANCISCO UNIFIED SCHOOL DISTRICT FOR FISCAL YEAR 1988-89; PLACING A RESERVE ON $971,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

12/7/88 BST

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
05-610	1988 School Facilities Improvement Bonds		
55-5500	Proceeds - Sale of Bonds	~~$35,000,000~~ $34,739,230	
07-20-00	County Education Office-San Francisco Unifed School District		
21-2030 (307181)	Capital Improvement Project		
Project 001-01	Miscellaneous Project Services		~~$ 2,360,000~~ $ 2,099,230
100-01	School Facilities Improvements		32,640,000
	Total	~~$35,000,000~~ $34,739,230	~~$35,000,000~~ $34,739,230

Section 2. Funds are hereby appropriated for ~~twelve (12)~~ eleven (11) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors' File No. 102-88-19) as follows:

FUND: 1988 SCHOOL FACILITIES IMPROVEMENT BONDS

DEPARTMENT: COUNTY EDUCATION S.F. UNIFIED SCHOOL DISTRICT

CLASSIFICATION	RATE OF PAY	CREATED
020 Temporary Salaries		
1240 P Assistant Personnel Analyst	$1,018 B $1,232	1
010 - Permanent Salaries Miscellaneous		
1312 N Public Information Officer	1,141 B 1,381	
~~1314 N Public Relations Officer~~	~~1,379 B 1,674~~	1
1426 N Senior Clerk Typist	796 B 961	1
1446 N Secretary II	874 B 1,057	1

12/7/88 BST

FUND	1988 SCHOOL FACILITIES IMPROVEMENT BONDS		
DEPARTMENT:	COUNTY EDUCATION S.F. UNIFIED SCHOOL DISTRICT		
CLASSIFICATION	RATE OF PAY		CREATED
1650 N Accountant	$ 908 B $ 1,099		1
1807 N MIS Technician	766 B 925		1
1823 N Senior Administrative Analyst	1,443 B 1,748		1
~~1824 N Principal Administrative Analyst~~	~~1,684 B 2,043~~		
5208 N Civil Engineer	1,731 B 2,104		1
5210 N Sr. Civil Engineer	2,004 B 2,435		1
5270 N Senior Architect	1,773 B 2,156		1
5506 N Project Manager III	2,684 B 2,684		1
	Total		11 ~~12~~

12/7/88 BST

Section 3. Funds in the amount of $971,000 are hereby held in reserve for the following objects in Miscellaneous Project Services until released by the Mayor and the Board of Supervisors' Finance Committee:

10-1110	Auto Mileage	$ 10,000
10-1206	Travel	6,000
10-1200	Other Services	600,000
11-1301	Office Supplies	55,000
11-1399	Other Supplies	100,000
22-2200	Equipment	200,000
	Total	$971,000

APPROVED AS TO FORM
LOUISE H. RENNE, CITY ATTORNEY

BY Theodore K. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE

John C. Farrell
CONTROLLER

NOV 18 1988

APPROVED: CIVIL SERVICE COMMISSION

BY
GENERAL MANAGER, PERSONNEL

0527R lp

BOARD OF SUPERVISORS

DOCUMENTS DEPT.
JAN 17 1989
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
December 12, 1988	§	December 19, 1988
	§	
	§	
Ayes: Supervisors Gonzalez Hongisto Kennedy Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker
	§	
	§	
Noes: Supervisors Hsieh	§	
	§	
Absent: Supervisors Britt	§	Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

DEC 27 1988

Clerk

File No.
101-88-45

DEC 2 198

Date Approved

Mayor

As amended in Board 12/12/88

FILE NO. 118-88-3 ORDINANCE NO. 542-88

[Chlorofluorocarbon Processed Food Packaging]

AMENDING PART II, CHAPTER V OF THE SAN FRANCISCO MUNICIPAL CODE (HEALTH CODE) BY ADDING SECTIONS 469 THROUGH 469.10 THERETO, PROHIBITING THE SALE OR USE OF FOOD PACKAGING MANUFACTURED WITH CHLOROFLUOROCARBONS.

Note: Additions to the ordinance made by the Board of Supervisors on December 12, 1988 are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco

Section 1. Part II, Chapter V of the San Francisco Municipal Code (Health Code) is hereby amended by adding Sections 469 through 469.10 thereto, to read as follows:

SEC. 469. CHLOROFLUOROCARBON PROCESSED FOOD PACKAGING - FINDINGS. The Board of Supervisors finds that the release of chlorofluorocarbons (CFC) into the environment may endanger public health and welfare by causing or contributing to significant depletion of the stratospheric ozone layer.

CFCs are manufactured chemicals that remain in the atmosphere for decades slowly migrating upwards without reacting with any other chemicals.

Stratospheric ozone shields the earth's surface from dangerous ultraviolet (UV-B) radiation. When CFC molecules react with UV light in the stratosphere they break down, freeing chlorine atoms which catalyze the destruction of ozone. One chlorine atom can destroy as many as 100,000 ozone molecules before it is rendered inactive or removed from the atmosphere.

A national and international consensus has developed that unabated use of CFCs is resulting in depletion of stratospheric ozone. The Environmental Protection Agency has determined that as stratospheric ozone levels drop, penetration of UV-B radiation will increase resulting in potential health and environmental harm. Direct effects are likely to include increased incidence of skin cancer and cataracts, suppression of the immune response system and damage to crops and aquatic organisms. (Federal Register, August 12, 1988, p. 30566.)

In the troposphere, the lower atmosphere, CFCs along with other chemicals absorb infrared radiation, warming the earth. Scientists predict that global warming may melt polar ice, raise sea levels and flood low-lying coasts. It may also disrupt agriculture due to shifts in global temperature and rainfall patterns.

CFCs are widely used as blowing agents in the manufacture of plastic food packaging. Moreover, while other foam products store or bank much of the CFCs within them, food service products emit most of the CFC used in their manufacture during the manufacture, use and disposal of the products.

The Board of Supervisors finds, therefore, that the widespread use of CFC processed food packaging poses a threat by the introduction of toxic by-products into the atmosphere and general environment of the City and County of San Francisco.

The Board of Supervisors further finds that restricting the sale of CFC processed food packaging and the use of CFC processed food packaging in retail food establishments in San Francisco would be a step toward slowing ozone loss and greenhouse gas buildup, thereby protecting the public health.

In addition to emitting CFCs, plastic food service items take hundreds of years to decompose and can not be recycled. However, these food packaging items can be made from other materials, such as recycled or virgin paper, and other biodegradable products which are

DOCUMENTS DEPT.
JAN 17 1989
SAN FRANCISCO
PUBLIC LIBRARY

not made with CFCs. By this legislation, the Board of Supervisors intends to encourage restaurant and food retailers and wholesalers in San Francisco to use biodegradable packaging in place of those made with CFCs.

SEC. 469.1 DEFINITIONS. As used in Sections 469 through 469.9 inclusive, the following words and terms shall have the following meanings:

(a) "Chlorofluorocarbons", ("CFCs") means the family of substances containing carbon, fluorine and chlorine and having no hydrogen atoms and no double bonds.

(b) "CFC processed food packaging" means food packaging which uses chlorofluorocarbons as blowing agents in its manufacture.

(c) "Director" means the Director of Health of San Francisco's Department of Public Health, or designee.

(d) "Food" means any article intended for use for food, drink, confection, or condiment, or any article which is used or integrated for use as a component of the food or otherwise affecting the component of the food.

(e) "Food packaging" means all food related wrappings, boxes, containers, bowls, plates, trays, cartons, cups, lids or drinking utensils, on which or in which food is placed or packaged on the retail food establishment's premises, and which are not intended for reuse. Food packaging does not include forks, knives, straws or single-service condiment packages.

(f) "Retail food establishment" means any food product and marketing establishment as defined in Section 440 of this code and any food preparation and service establishment as defined in Section 451 of this code.

(g) "Supplier" means anyone selling, or otherwise supplying

packaging to a retail food establishment.

(h) "Wholesaler" means anyone who acts as a wholesale merchant, broker, jobber or agent, who sells for resale.

SEC. 469.2 PROHIBITION ON USE OF CHLOROFLUOROCARBON PROCESSED FOOD PACKAGING. (a) No retail food establishment located and doing business within the City and County of San Francisco shall purchase, obtain, keep, sell, distribute, provide to customers or otherwise use in its business, any CFC processed food packaging, except as provided in sections 469.4 and 469.5.

(b) No wholesaler located and doing business within the City and County of San Francisco shall sell, distribute or provide to customers, or keep within the City and County of San Francisco, any CFC processed food packaging, except as provided in Sections 469.4 and 469.5.

SEC. 469.3 FOOD PACKAGING - PROOF OF COMPLIANCE.

(a) Every retail food establishment shall show proof of compliance with section 469.2 of this code by (1) either entering into a contract with its suppliers, or obtaining a written statement from its suppliers, which provides that the supplier will supply only food packaging not manufactured with CFCs and (2) obtaining a written statement from the supplier on each invoice for food packaging that the food packaging invoiced was not CFC processed.

(b) Every wholesaler shall show proof of compliance with Section 469.2 of this code by obtaining a written statement from the supplier on each invoice for food packaging that is sold, distributed or provided to customers in the City and County of San Francisco that the food packaging invoiced was not CFC processed, and acknowledging that the supplier is aware of the provisions of

12/12/88 this ordinance making illegal the providing of false information on the invoice.

ejp (c) (((b))) It shall be unlawful for any supplier to make any false statement regarding the use or non-use of CFCs in the manufacture of food packaging supplied to any wholesaler or retail food establishment.

12/12/88 (d) (((c))) Retail food establishments shall retain copies of each contract or written statement required by this section, and wholesalers shall retain copies of invoices required by this section, and they shall make them available for inspection upon request. Invoices and contracts required by this section shall be retained for a period of one year.

SEC. 469.4 EXCEPTIONS. The Director may exempt an item or type of food packaging from the requirements of sections 469.2 and 469.3 upon application by the retail food establishment demonstrating to the satisfaction of the Director that the item or type of packaging has no acceptable non-CFC processed equivalent.

SEC. 469.5 FOOD PACKAGING - EXISTING CONTRACTS. Food packaging required to be purchased under a contract entered into prior to or within six months of the effective date of this ordinance is exempt from the provisions of this ordinance.

SEC. 469.6 PENALTIES AND ENFORCEMENT.

(a) The Director may enforce the provisions of Sections 469.2 and 469.3 against violations by either of the following actions:

(1) Serving notice requiring the correction of any violation;

(2) Calling upon the City Attorney to maintain an action for injunction to enforce the provisions of Sections 469.2 and 469.3, to

cause the correction of any such violation, and for the assessment and recovery of a civil penalty for such violation.

(b) Any individual, firm, partnership, corporation, company, association, society, group, or other person or legal entity that violates any provision of Sections 469.2 and 469.3 shall be liable for a civil penalty, not to exceed $500.00 for each day such violation is committed or permitted to continue. Any penalty shall be assessed and recovered in a civil action brought in the name of the people of the City and County of San Francisco by the City Attorney in any court of competent jurisdiction. Any penalty assessed and recovered in an action brought pursuant to this section shall be paid to the Treasurer of the City and County of San Francisco.

(c) Failure to comply with the provisions of Sections 469.2 and 469.3 shall be grounds for suspension or revocation of a permit issued pursuant to Sections 440 and 452, after a hearing by the Department of Public Health.

SEC. 469.7 CITY AND COUNTY PURCHASES PROHIBITED.

The City and County shall purchase no CFC processed food packaging, except packaging required to be purchased under a contract entered into prior to or within six months of the effective date of this ordinance unless the department purchasing the item or type of packaging makes a showing to the Director that the item or type of packaging has no acceptable non-CFC processed equivalent.

SEC. 469.8 CONFLICT WITH OTHER LAWS

(a) By adopting this ordinance, the City and County of San Francisco does not intend to authorize any activity that federal or state law or regulation prohibits, to prohibit any activity that

federal or state law or regulation authorizes, or to duplicate any federal or state law or regulation except to the extent allowed by law.

(b) This ordinance shall be void upon the enactment or adoption of any state or federal law or regulation imposing limits on the use of CFCs in the manufacture of plastic foams.

SEC. 469.9 PROMOTING PURPOSES OF LEGISLATION. The Board of Supervisors will promote the lobbying of the State Legislature and United States Congress to stop the use of Chlorofluorocarbons in the United States. The Board will promote consultations with San Francisco sister cities pursuing an end to Chlorofluorocarbon use internationally.

SEC. 469.10 SEVERABILITY

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this chapter or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this article or any part thereof. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Paula Jeadon
Deputy City Attorney

SUPERVISOR WALKER
0436H (3648g; 0192H)

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 12, 1988	December 19, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
118-88-3

DEC 27 1988
DEC 2 198
Date Approved

Mayor

Amendment of the Whole
12/12/88

FILE NO. 127-88-21

ORDINANCE NO. 543-88

[White Zone Fee Exemption]

AMENDING SAN FRANCISCO MUNICIPAL CODE, PART III, BY AMENDING SECTION 129.2 THEREOF TO EXEMPT PRIVATE NON-PROFIT ORGANIZATIONS WHOSE EXCLUSIVE FUNCTION IS SERVING SENIOR CITIZENS AND THE HANDICAPPED, AND PRIVATE NON-PROFIT EDUCATIONAL INSTITUTIONS PROVIDING EDUCATION TO STUDENTS IN GRADES EIGHT OR LOWER, FROM FEE CHARGES FOR PASSENGER ZONE CURB PAINTING.

NOTE: Additions indicated by underlining; there are no deletions..

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Municipal Code is hereby amended by amending Section 129.2 thereof to read as follows:

SEC. 129.2. PASSENGER ZONES. "Passenger Zone" is hereby defined to be that portion of the roadway adjacent to a curb which has been marked in the color white as provided by Section 21458 of the Vehicle Code of the State of California. Except for public buildings and except for holders of passenger zone permits which have been issued on or after October 1, 1988 for buildings occupied by private non-profit organizations whose exclusive function is serving senior citizens and the handicapped, and private non-profit educational institutions providing education to students in grades

/ / /

/ / /

/ / /

/ / /

/ / /

eight or lower, and these organizations are conducting non-profit activities, the holder of each permit for a passenger zone on any public street shall pay a fee therefor as set forth in Section 129.5.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Pudine R Sato
Deputy City Attorney

DOCUMENTS DEPT.
JAN 17 1989
SAN FRANCISCO
PUBLIC LIBRARY

SUPERVISOR HONGISTO 12/12/88

3682g

BOARD OF SUPERVISORS

Passed for Second Reading

Board of Supervisors, San Francisco

December 12, 1988

Ayes: Supervisors Britt, Gonzalez, Hongisto, ~~Hsieh~~, Kennedy, Maher, Molinari, Nelder, Silver, Walker, Ward.

Noes: Supervisors HSIEH

~~Absent: Supervisors~~

John L. Taylor Clerk

127-88-21
File No.

DEC 2 19
DEC 27 1988
Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

December 19, 1988

Ayes: Supervisors Britt, Gonzalez, Hongisto, ~~Hsieh~~, Kennedy, Maher, Molinari, Nelder, Silver, Walker, Ward.

Noes: Supervisors HSIEH

~~Absent: Supervisors~~

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Mayor

Amended in Cmte. 12/7/88.
Amendment of the Whole 11/30/88

FILE NO. 102-88-19

ORDINANCE NO. 544-88

PUBLIC EMPLOYMENT

SAL.ORD.AMEND.NO. 18A

AMENDING ORDINANCE NO. 269-88 (ANNUAL SALARY ORDINANCE, 1988/89) REFLECTING THE CLASSIFICATION OF ~~TWELVE~~ ELEVEN NEW POSITIONS FOR THE PROPOSITION A BOND PROGRAM AT THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated items and section of Ordinance No. 269-88 (Annual Salary Ordinance, 1988/89) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Dept.:	07 County Education Office	
		Division:	20 San Francisco Unified School District	
		Section:	00 SF Unified School District	
		Program:	5402 1988 School Facilities Improvements	
		Fund:	05-610 1988 School Facilities Improvement Bonds	
		Index:	307181 1988 School Facilities Improvements	
		Proj/Phase:	001/01 Miscellaneous Project Services	
			100/01 School Facilities Improvement	
		Object:	002 Temporary Salaries	
1 added	1	1240 P	Assistant Personnel Analyst.....	$1018B1232
		Object:	001 Permanent Salaries-Miscellaneous	
1 added	1	1312 N	Public Information Officer ~~1314 N Public Relations Officer~~.....Z	1141B1381 ~~1329B1611~~
1 added	1	1426 N	Senior Clerk Typist.....	796B961
1 added	1	1446 N	Secretary II.....	874B1057
1 added	1	1650 N	Accountant.....	906B1099
1 added	1	1807 N	MIS Technician II.....	766B925
1 added	1	1823 N	Senior Administrative Analyst ~~1824 N Principal Administrative Analyst~~.....Z	1443B1748 ~~1682B2043~~
1 added	1	5208 N	Civil Engineer.....Z	1731B2104
1 added	1	5210 N	Senior Civil Engineer.....Z	2004B2435
1 added	1	5270 N	Senior Architect.....Z	1773B2156
1 added	1	5506 N	Project Manager III.....Z,SC	2684B2684

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore B. Lakey
DEPUTY CITY ATTORNEY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 12, 1988	December 19, 1988
Ayes: Supervisors Gonzalez Hongisto Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker
Noes: Supervisors Hsieh	
Absent: Supervisors Britt	Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

DEC 27 1988

Clerk

File No. 102-88-19

Date Approved

Mayor

DOCUMENTS DEPT.
JAN 17 1989
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 102-88-18 ORDINANCE NO. 545-88

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 15

AMENDING ORDINANCE NO. 269-88 (ANNUAL SALARY ORDINANCE, 1988-89) REFLECTING THE DELETION OF FIVE POSITIONS AND THE ADDITION OF FIVE POSITIONS IN THE DEPARTMENT OF SOCIAL SERVICES.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 269-88 (Annual Salary Ordinance, 1988-89) are hereby amended so that the same shall read as follows:

(Amend-ment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept.: 45	Social Services	
		Division: 00	Social Services	
		Section: 00	Social Services	
		Program: 3423	Fiscal Services	
		Fund: 01001	General Fund	
		Index: 640052	Fiscal Services	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries Miscellaneous	
1 added	1	1650 A	Accountant.....SC	$ 908B1099
1 added	1	1654 A	Principal Accountant.....Z,SC	1329B1611
		Dept.: 45	Social Services	
		Division: 00	Social Services	
		Section: 00	Social Services	
		Program: 3424	Homeless Emergency Services	
		Fund: 01001	General Fund	
		Index: 640060	Homeless Emergency Services	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Miscellaneous	
2 abolished	1	1684 A	Associate Auditor..... Z...	1394B1690
1 abolished	0	1686 A	Supervising Auditor.....Z...	1550B1881
		Dept.: 45	Social Services	
		Division: 00	Social Services	
		Section: 00	Social Services	
		Program: 3401	DSS Central Management	
		Fund: 01001	General Fund	
		Index: 647008	DSS-Cent Mgmt Prog Bud	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Miscellaneous	
1 added	1	1231 A	Associate Affirmative Action Coord...Z,SC	1588B1927
1 added	1	1446 A	Secretary II.....SC	874B1057

(Amend-ment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept.: 45	Social Services	
		Division: 00	Social Services	
		Section: 00	Social Services	
		Program: 3416	Ofc of Program Evaluation & Support	
		Fund: 01001	General Fund	
		Index: 647156	DSS-Ope & Supp Prog Bud	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Miscellaneous	
1 added	1	1821 A	Management Information Systems Mgr.....Z,SC	$1723B2094
1 abolished	1	1410 A	Chief Clerk.....Z...	1131B1368
		Dept.: 45	Social Services	
		Division: 00	Social Services	
		Section: 00	Social Services	
		Program: 3417	Overpayment-Collections	
		Fund: 01001	General Fund	
		Index: 647164	DSS-Spec.Inv.Prog.Bud.	
		Proj/Phase: 000/00	Unassigned Title	
		Object 001	Permanent Salaries-Miscellaneous	
1 abolished	0	4366 A	Collection Supervisor.....SC	1141B1381

DOCUMENTS DEPT.
JAN 17 1989
SAN FRANCISCO
PUBLIC LIBRARY

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

NO. 15

Civil Service Commission
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

December 12, 1988

Ayes: Supervisors Britt Gonzalez Kennedy Maher Molinari Nelder Silver Walker Ward

Noes: Supervisors Hsieh

Absent: Supervisors Hongisto

Finally Passed

December 19, 1988

Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

DEC 27 1988
Date Approved

Mayor

File No.
102-88-18

FILE NO. 102-88-17 ORDINANCE NO. 546-88

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 16

AMENDING ORDINANCE NO. 269-88 (ANNUAL SALARY ORDINANCE, 1988-89) REFLECTING THE RESTORATION OF TWO POSITIONS IN THE DEPARTMENT OF PUBLIC HEALTH, LAGUNA HONDA HOSPITAL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated items and section of Ordinance No. 269-88 (Annual Salary Ordinance, 1988-89) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Dept.: 85	Laguna Honda	
		Division: 00	Laguna Honda	
		Section: 00	Laguna Honda	
		Program: 4150	Laguna Honda Hospital	
		Fund: 37001	Laguna Honda Operating Fund	
		Index: 448274	Laguna Honda Hosp. Exp.	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 003	Permanent Salaries-Craft	
1 added	2	7355 A	Truck Driver.....	$1216B1543
1 added	1	7355 C	Truck Driver.....	1216B1543

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By DEPUTY CITY ATTORNEY

NO. 16

Board of Supervisors, San Francisco

Passed for Second Reading

December 12, 1988

Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward

Absent: Supervisors Hongisto

Finally Passed

December 19, 1988

Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

DEC 27 1988

Clerk

File No. 102-88-17

DEC 2 198

Date Approved

Mayor

DOCUMENTS DEPT.

JAN 17 1989

SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 101-88-54 ORDINANCE NO. 547-88

RO #8156 SA #77

(Government Funding)

APPROPRIATING $1,519,200 FOR VARIOUS CAPITAL IMPROVEMENT AND FACILITIES MAINTENANCE PROJECTS AND RESCINDING $166,000 FROM VARIOUS CAPITAL IMPROVEMENT PROJECTS, JUVENILE COURT, FOR FISCAL YEAR 1988-89.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows.

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-450	Special Revenue Fund - Construction and Inspection		
G.L. 495	Use of Surplus	$1,353,200	
12-01-00	Juvenile Court		
21-2130 (318246)	Capital Improvement Project		
Project 601-09	Resurface of Playground	159,000	
" 601-07	YGC various Cottage Improvements	7,000	
12-02-00	Juvenile Court		
21-2130 (318246)	Capital Improvement Project		
Project	Fire Safety		$ 285,000
"	Emergency Generator		364,800
"	Asbestos Abatement		103,000
"	Cottage 85 Lighting		68,000
"	Security Fencing		175,000
"	Medical Clinic		144,200
"	Multi - Purpose Room		170,000
Project	Receiving Unit		$ 80,600
"	Bathroom Modifications		30,000
"	Security Alarms		88,300
"	Disabled Accessibility		30,300
21 2020 (318246)	Facilities Maintenance Project		
Project	Facility Repairs		80,000
	Total	$1,519,200	$1,519,200

//////////
//////////

APPROVED AS TO FORM.
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
John C Farrell
CONTROLLER

NOV 21 1988

ac(0959P9&10)

DOCUMENTS DEPT.
JAN 17 1989
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading

December 12, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker

Finally Passed

December 19, 1988

Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No.
101-88-54

DEC 27 1988
Date Approved

Mayor

Amendment of the Whole 12/7/88.

FILE NO. 101-88-53

ORDINANCE NO. 548-88

RO #8146 SA #70

(Government Funding)

APPROPRIATING $876,109 FOR EXTENDED WORK WEEK AND RESCINDING $876,109 FROM PERMANENT SALARIES - UNIFORMED, HOLIDAY PAY AND MANDATORY FRINGE BENEFITS, FIRE DEPARTMENT, FOR FISCAL YEAR 1988-89 AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows.

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
31-03-00	Fire Department		
01 0020 (530071)	Permanent Salaries - Uniform	$ 76,109	
03 0121	Holiday Pay - Uniform	300,000	
04 0600	Mandatory Fringe Benefits	500,000	
03 0130 (530071)	Extended Work Week		$876,109
	Total	$876,109	$876,109

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C. Farrell
CONTROLLER

DEC 07 1988

ac(0959P6)

Board of Supervisors, San Francisco

Passed for Second Reading

December 12, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker

Finally Passed

December 19, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward

Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No. 101-88-53

DEC 27 1988
Date Approved

Mayor

DOCUMENTS DEPT.
JAN 17 1989
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 101-88-52

ORDINANCE NO. 549-88

RO #8143 SA #62

(Government Funding)

APPROPRIATING $7,684,447 FOR CAPITAL IMPROVEMENT PROJECT (MOSCONE EXPANSION CONSTRUCTION), CHIEF ADMINISTRATIVE OFFICER - MOSCONE CENTER, FOR FISCAL YEAR 1988-89; PLACING $7,684,447 ON RESERVE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 491	Unappropriated Revenue Retained		
Subsidiary 000048	Reserve for Public Facilities	$7,684,447	
70-04-00	Chief Administrative Officer - Moscone Center		
21-2030 (420398)	Capital Improvement Project		
Project 760-01	Moscone Expansion Construction		$7,684,447
	Total	$7,684,447	$7,684,447

Section 2. Funds are hereby placed in reserve and shall be released by the Controller when the cash receipts have been allocated to this project.

APPROVED AS TO FORM
LOUISE H. RENNE, CITY ATTORNEY

BY Theodore R Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C Farrell
CONTROLLER

NOV 18 1988

ac(0959P7)

Board of Supervisors, San Francisco

Passed for Second Reading

December 12, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker

Finally Passed

December 19, 1988

Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-88-52

DEC 27 1988
Date Approved

Mayor

DOCUMENTS DEPT.
JAN 17 1989
SAN FRANCISCO
PUBLIC LIBRARY

Amended in Cmte. 12/7/88.

FILE NO. 101-88-51

ORDINANCE NO. 550-88

RO #8139 SA #53

(Government Funding)

APPROPRIATING $3,400,000 FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS, MUNICIPAL RAILWAY, FOR FISCAL YEAR 1988-89, PLACING $164,000 IN RESERVE.

12/7/88 BST

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
31 002	Transit Impact Development Fee		
90 9199 (045484)	Miscellaneous Muni Revenue	$3,400,000	
35-00 00	Municipal Railway		
21-2030 (715557)	Capital Improvement Project		
Project 026-01	LRV Improvements		$1,700,000
21 2030 (715565)	Capital Improvement Project		
Project 717-01	Advanced Train Control System		1,400,000
21 2030 (715540)	Capital Improvement Project		
Project 025-01	Harrison Street Facility Start-up		300,000
	Total	$3,400,000	$3,400,000

Section 2. Contingency funds in amount of $164,000 are hereby held in reserve for Harrison Street Facility Start-up until released by the Finance Committee.

APPROVED AS TO FORM.
LOUIS H. RENNE, CITY ATTORNEY

BY DEPUTY CITY ATTORNEY

FUNDS AVAILABLE.

CONTROLLER

NOV 21 1988

lp 0558R

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 12, 1988	December 19, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Hongisto	Absent: Supervisors Hongisto Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-88-51

DEC 27 1988

Date Approved

Mayor

DOCUMENTS DEPT.

JAN 17 1989

SAN FRANCISCO PUBLIC LIBRARY

Amended in Cmte. 12/7/88.

FILE NO. 101-88-50

ORDINANCE NO. 551-88

RO # 8132 SA # 46

(Government Funding)

APPROPRIATING ~~$50,873~~ $40,258 FOR PERMANENT SALARIES AND RELATED MANDATORY FRINGE BENEFITS, AND RESCINDING ~~$50,873~~ $40,258 FROM PERMANENT SALARIES AND RELATED MANDATORY FRINGE BENEFITS FOR THE RESTORATION OF TWO (2) POSITIONS, LAGUNA HONDA HOSPITAL, FOR FISCAL YEAR 1988-89.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
37-001	Laguna Honda Operating Fund		
85-00-00	Laguna Honda Hospital		
01-0030 (448274)	Permanent Salaries - Craft	$31,427 ~~$39,750~~	
04-0600	Retirement	5,028 ~~6,360~~	
04-0606	Social Security	2,360 ~~2,985~~	
04-06010	Health Service	1,380 ~~1,698~~	
04-0620	Unemployment	63 ~~80~~	
01-0030 (448274)	Permanent Salaries - Craft		$31,427 ~~$39,750~~
04-0600	Retirement		5,028 ~~6,360~~
04-0606	Social Security		2,360 ~~2,985~~
04-0610	Health Service		1,380 ~~1,698~~
04-0620	Unemployment		63 ~~80~~
	Total	$40,258 ~~$50,873~~	$40,258 ~~$50,873~~

Section 2. Funds are hereby appropriated for two (2) position created by Amendment to the Annual Salary Ordinance (Board of Supervisors' File No. 102-88-17) as follows:

Fund Department Classification	General Fund Laguna Honda Hospital Rate	Created
7355 A Truck Driver	$1,216 B $1,543	1
7355 C Truck Driver	1,216 B 1,543	1
	Total	2

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Thelma R. Sakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C. Farrell
CONTROLLER

APPROVED: CIVIL SERVICE COMMISSION

BY: John J. Walsh for
GENERAL MANAGER, PERSONNEL

lp-521R-344

DOCUMENTS DEPT.
JAN 17 1989
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
December 12, 1988	§	December 19, 1988
	§	
	§	
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker
	§	
Absent: Supervisors Hongisto	§	Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

DEC 27 1988

Date Approved

Clerk

Mayor

File No.
101-88-50

Amended in Cmte. 12/7/88.

FILE NO. 102-88-49

ORDINANCE NO. 552-88

RO #8133 SA #58

(Government Funding)

12/7/88 BST

APPROPRIATING $119,263 ~~$139,493~~ FOR PERMANENT SALARIES, AND RELATED MANDATORY FRINGE BENEFITS, AND RESCINDING $119,263 ~~$139,493~~ FROM PERMANENT SALARIES AND RELATED MANDATORY FRINGE BENEFITS, CREATING AND DELETING FIVE (5) PERMANENT POSITIONS, DEPARTMENT OF SOCIAL SERVICES, FOR FISCAL YEAR 1988-89.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Funds are hereby appropriated for Fiscal Year 1988-89 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
45-00-00	Social Services		
01-0010 (640060)	Permanent Salaries	$ 58,284 ~~$ 68,309~~	
04-0600	Retirement	10,489 ~~12,296~~	
04-0606	Social Security	4,377 ~~5,131~~	
04-0610	Health Service	2,049 ~~2,229~~	
01-0010 (647156)	Permanent Salaries	17,740 ~~20,794~~	
04-0600	Retirement	3,193 ~~3,743~~	
04-0606	Social Security	1,334 ~~1,562~~	
04-0610	Health Service	683 ~~743~~	
01-0010 (647164)	Permanent Salaries	16,278 ~~19,076~~	
04-0600	Retirement	2,929 ~~3,434~~	
04-0606	Social Security	1,224 ~~1,434~~	
04-0610	Health Service	683 ~~743~~	

12/7/88 BST

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-0010 (640052)	Permanent Salaries		$ 33,194 ~~$ 40,427~~
04-0600	Retirement		5,975 ~~6,213~~
04-0606	Social Security		2,493 ~~2,597~~
04-0610	Health Service		1,366 ~~1,486~~
04-0699	Mandatory Fringe Savings		-0- ~~1,508~~
01-0010 (677008)	Permanent Salaries		34,966 ~~35,919~~
04-0600	Retirement		6,297 ~~6,502~~
04-0606	Social Security		2,627 ~~2,903~~
04-0610	Health Service		1,366 ~~1,486~~
04-0699	Mandatory Fringe Savings		-0- ~~458~~
01-0010 (647156)	Permanent Salaries		24,122 ~~24,838~~
04-0600	Retirement		4,342 ~~4,414~~
04-0606	Social Security		1,812 ~~1,967~~
04-0610	Health Service		683 ~~743~~
04-0699	Mandatory Fringe Savings		-0- ~~471~~
	Total	$119,263 ~~$139,493~~	$119,263 ~~$139,493~~

DOCUMENTS DEPT.
JAN 17 1989
SAN FRANCISCO
PUBLIC LIBRARY

Section 2. Funds are hereby appropriated for five (5) positions created and five (5) positions deleted by amendment to the Annual Salary Ordinance (Board of Supervisors' File No 102-88-18) as follows:

Fund: General Fund

Department: Social Services

Classification	Rate	Created	Deleted
1650 A Accountant	$ 908 B $1099	1	
1654 A Principal Accountant	1329 B 1611	1	
1231 A Associate Affirmative Action Coordinator	1588 B 1927	1	
1446 A Secretary II	874 B 1057	1	
1871 A Management Information Systems Manager	1723 B 2094	1	

Classification	Rate	Created	Deleted
1684 A Associate Auditor	$1394 H $1690		2
1686 A Supervising Auditor	1550 B 1881		1
1410 A Chief Clerk	1131 B 1368		1
4366 A Collection Supervisor	1141 B 1381		1
	Total	5	5

APPROVED AS TO FORM.
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C Farrell
CONTROLLER

NOV 1 1988

APPROVED.
CIVIL SERVICE COMMISSION

BY: John J. Walsh FM
GENERAL MANAGER, PERSONNEL

ac(0959P3-5)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 12, 1988	December 19, 1988
Ayes: Supervisors Gonzalez Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker
Noes: Supervisors Hsieh	
Absent: Supervisors Britt Hongisto	Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

DEC 27 1988
Date Approved

Mayor

File No.
101 88-49

FILE NO 97-88-76

ORDINANCE NO. 553-88

(Revolving Fund)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 10.169-6 THERETO, ESTABLISHING A HEALTH SERVICE SYSTEM REVOLVING FUND IN THE AMOUNT OF $150.00.

Note: This section is entirely new.

Be it ordained by the People of the City and County of San Francisco

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 10.169-6 thereto, reading as follows:

Section 10.169-6. Cash Revolving Funds-Health Service System; $150.00.

APPROVED AS FORM:

LOUISE RENNE, CITY ATTORNEY

BY:

RECOMMENDED:

RANDALL B. SMITH
EXECUTIVE DIRECTOR
HEALTH SERVICE SYSTEM

"HEALTH SERVICE SYSTEM"

10/17/88

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 12, 1988	December 19, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker	Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker
	Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

DEC 27 1988

Date Approved

Clerk

Mayor

File No.
97-88-76

DOCUMENTS DEPT.

JAN 17 1989

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 97-87-6 ORDINANCE NO. 554-88

(Contracts - Insurance Requirements)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING CHAPTER 6 BY ADDING SECTION 6.2-1 RELATING TO INSURANCE REQUIREMENTS IN CITY CONTRACTS; AND AMENDING CHAPTER 21 BY ADDING SECTION 21.2-2 RELATING TO INSURANCE REQUIREMENTS IN CITY CONTRACTS.

Note: Both sections are new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 6 of the San Francisco Administrative Code is hereby amended by adding Section 6.2-1 thereof, to read as follows:

Section 6.2-1 INSURANCE REQUIREMENTS IN CITY CONTRACTS. Notwithstanding any other provisions of Chapter 6 of this code, all City contracts subject to this Chapter must conform to the insurance requirements established by the Risk Manager.

The Risk Manager shall develop uniform insurance requirements for City contracts subject to this Chapter and shall publish such requirements in the Risk Manager's Manual. The Risk Manager shall review and update said insurance requirements annually.

Section 2. Chapter 21 of the San Francisco Administrative Code is hereby amended by adding Section 21.2-2 thereof, to read as follows:

Section 21.2-2 INSURANCE REQUIREMENTS IN CITY CONTRACTS. Notwithstanding any other provisions of Chapter 21 of this code, all City contracts subject to this Chapter must conform to the insurance requirements established by the Risk Manager.

The Risk Manager shall develop uniform insurance requirements for City contracts subject to this Chapter and shall publish such requirements in the Risk Manager's Manual. The Risk Manager shall review and update said insurance requirements annually.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: B Hales
Deputy City Attorney

DOCUMENTS DEPT.
JAN 17 1989
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
December 12, 1988	§	December 19, 1988
	§	
	§	
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker
	§	
Absent: Supervisors Hongisto	§	Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

DEC 27 1988

Clerk

File No.
97-87-6

DEC 29 19

Date Approved

Mayor

FILE NO. 46-88-19

ORDINANCE NO. 555-88

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF WILLIAM MOORE, JR. v. SAN FRANCISCO FIRE DEPARTMENT, et al., UPON RECEIPT OF $300,000 AND THE RIGHT TO TEN PERCENT CREDIT AGAINST FUTURE PENSION PAYMENTS TO PLAINTIFF.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized and directed to settle a portion of San Francisco Superior Court No. 830-186 entitled "WILLIAM MOORE, JR., AND BENTON MOORE, JR., Plaintiffs v. SAN FRANCISCO FIRE DEPARTMENT, et al., Defendants." The settlement shall be limited to the property owner Defendants upon the acceptance of the sum of $300,000 and the right to ten percent credit against future pension payments to plaintiffs.

Section 2. Upon receipt of said sum of $300,000, the City Attorney is authorized to dismiss said complaint against the property owner defendants only.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

PAM LEVESQUE
Executive Assistant to
General Manager

7219T

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 12, 1988	December 19, 1988
Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Hongisto Kennedy	Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 46-88-19

DEC 27 1988
Date Approved

Mayor

DOCUMENTS DEPT.
JAN 17 1989
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 45-88-85

ORDINANCE NO. 556-88

RO #8154

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF NANCY HO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for a structured settlement to be paid as follows: 1) $555,000 cash; 2) $6,000 per month, increased at the rate of 4% compounded annually, first payment to be made no later than April 1, 1989.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "NANCY HO V. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 890-465, by the payment of 1) $555,000 cash; 2) $6,000 per month, increased at the rate of 4% compounded annually, first payment to be made no later than April 1, 1989.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RECREATION & PARK DEPARTMENT

MARY E. BURNS
General Manager

FUNDS AVAILABLE:

JOHN FARRELL
Controller

01 001 97 09 42
[illegible] 1150 $555,000.00

NOV 2 0 1988

APPROVED:

RECREATION AND PARK COMMISSION

SECRETARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 12, 1988	December 19, 1988
Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Hongisto Kennedy	Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

DEC 2 7 1988

Date Approved

Clerk

Mayor

File No.
45-88-85

DOCUMENTS DEPT.

JAN 1 7 1989

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 45-88-84

ORDINANCE NO. 557-88

RO #8149

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF CARMEN GONZALEZ AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $9,375.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "CARMEN GONZALEZ v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 879-232, by the payment of $9,375.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF HEALTH

DAVID WERDEGAR, M.D., M.H.P.
Director

FUNDS AVAILABLE:

JOHN CARRELL
Controller

NOV 16 1988

01 001 97 09 86
309807 1450 $9,375.00

APPROVED:

HEALTH COMMISSION

SECRETARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 12, 1988	December 19, 1988
Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Hongisto Kennedy	Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

DEC 27 1988

Date Approved

Clerk

Mayor

File No.
45-88-84

DOCUMENTS DEPT.

JAN 17 1989

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 45-88-83

ORDINANCE NO. 558-88

RO #8147

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF BESSIE CRUMBY AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $8,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "BESSIE CRUMBY v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 887-195, by the payment of $8,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

POLICE DEPARTMENT

FRANK JORDAN
Chief

FUNDS AVAILABLE:

JOHN CARRELL
Controller

01 001 97 09 38
309781 1450 $8,000.00

NOV 16 1988

APPROVED:

POLICE COMMISSION

SECRETARY

/L/T

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 12, 1988	December 19, 1988
Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Hongisto Kennedy	Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

DEC 27 1988

Clerk

File No.
45-88-83

Date Approved

Mayor

DOCUMENTS DEPT.

JAN 17 1989

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 45-88-82

ORDINANCE NO. 559-88

RO #8148

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF KRISTIN BACCIOCCO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $40,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "KRISTIN BACCIOCCO V. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 819-381, by the payment of $40,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

DAVID WERDEGAR, M.D., M.P.H.
Director

FUNDS AVAILABLE:

JOHN BARRELL
Controller

01 001 97 09 86
309807 1450 $40,000.00

NOV 16 1988

HEALTH COMMISSION

SECRETARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 12, 1988	December 19, 1988
Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Hongisto Kennedy	Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

DEC 27 1988

Clerk

File No.
45-88-82

Date Approved

Mayor

DOCUMENTS DEPT.

JAN 17 1989

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 45-88-81

ORDINANCE NO. 560-88

RO #8129

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ROSA RIVERA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $8,500.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ROSA RIVERA V. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 865-536, by the payment of $8,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. RILEY
Chief Trial Deputy

RECOMMENDED:

RECREATION AND PARK DEPARTMENT

MARY E. BURNS
General Manager

FUNDS AVAILABLE:

JOHN CARRELL
Controller

OCT 31 1988

01 001 97 09 42
620245 1450 $8,500.00

APPROVED:

RECREATION AND PARK COMMISSION

SECRETARY

7028T, 4

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 12, 1988	December 19, 1988
Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Hongisto Kennedy	Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

DEC 27 1988

Clerk

File No.
45-88-81

Date Approved

Mayor

DOCUMENTS DEPT.

JAN 17 1989

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 45-88-80

ORDINANCE NO. 561-88

RO #8126

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF TIN LUNG WOO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $75,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "TIN LUN WOO v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 873-698, by the payment of $75,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLEY A. REILLY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

for RICHARD J. EVANS
Director

FUNDS AVAILABLE:

JOHN FARRELL
Controller

01 001 97 09 90
309674 1450 $75,000.00

OCT 2 5 1988

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 12, 1988	December 19, 1988
Ayes: Supervisors Gonzalez Hsieh Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Hongisto Kennedy	Absent: Supervisors Hongisto Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-88-80

DEC 2 7 1988
Date Approved

Mayor

DOCUMENTS DEPT.

JAN 17 1989

SAN FRANCISCO
PUBLIC LIBRARY

ERRATA

The following corrections have been made to Ordinance No. 562-88:

Page 7, Line 8, add "Stand" after "Employer's Bus"

Page 12, Line 6, delete "Section" after "under"

Page 14, Line 10, delete "not" after "shall"

Page 15, Line 24, correct "1182" to read "1082"

Page 25, Line 11, delete "shall be" after "liability"

Page 26, Line 28, correct "1082.2" to read "1092"

Page 28, Line 24, add "in" after "shall be"

Page 30, Line 13, correct "distant therefrom" to read "of the curb"

Page 33, Line 11, correct "an" to read "and"

Page 41, Line 22, correct "own" to read "owner"

Page 45, Line 1, correct "fail to" to read "fail or"

Page 47, Line 25, correct "impairment or" to read "impairment of"

Page 48, Line 30, add "bus" after "sightseeing"

Page 49, Line 4, add "bus" after "sightseeing"

Page 49, Line 20, add "shall" after "Section"

Page 51, Line 15, add "bus" after "sightseeing"

Page 58, Line 16, correct "with" to read "while"

Page 58, Line 17, add a comma after "garage"

Page 58, Line 20, correct "Operator" to read "Operation"

John L. Taylor
Clerk of the Board
March 20, 1989

DOCUMENTS DEPT.
APR 10 1989
SAN FRANCISCO
PUBLIC LIBRARY

[Regulations for Motor Vehicles for Hire]

AMENDING PART II, CHAPTER VIII OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE), BY REPEALING ARTICLE 16 OF SAID CHAPTER (REGULATIONS FOR MOTOR VEHICLES FOR HIRE) AND ENACTING A NEW ARTICLE 16; AND AMENDING ARTICLE 1, SECTIONS 51.1 AND 53 OF SAID CHAPTER TO CONFORM CROSS-REFERENCES THEREIN; THIS ORDINANCE TO TAKE EFFECT ON MARCH 1, 1989.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Chapter VIII, Part II, Article 16, of the San Francisco Municipal Code (Police Code) ("Regulations for Motor Vehicles for Hire") is hereby repealed.

Section 2. Chapter VIII, Part II, of the San Francisco Municipal Code (Police Code) is hereby amended by adding a new Article 16 ("Regulations for Motor Vehicles for Hire") thereto, reading as follows:

ARTICLE 16

REGULATIONS FOR MOTOR VEHICLES FOR HIRE

DIVISION 1 - PROVISIONS GOVERNING ALL VEHICLES

SEC. 1075. DECLARATION OF POLICY. The Board of Supervisors of the City and County of San Francisco hereby declare it shall be the policy of the City and County of San Francisco that:

(a) All motor vehicle for hire permits issued by the City and County of San Francisco are the property of the people of the City

/ / /

/ / /

/ / /

and County of San Francisco and shall not be sold, assigned or transferred.

(b) A sufficient number of permits for each type, kind, or class of motor vehicle for hire shall be issued to assure adequate service to the public, including residents, commuters, tourists and other visitors.

(c) All taxicabs shall be operated with an effective 24-hour radio dispatch service to assure prompt, safe and adequate service for all residents of the City and County of San Francisco, including, without limitation, elderly and handicapped persons, in all locations throughout the City and County.

(d) Taxicab operators may charge less than the maximum fare set by law, as set forth below.

(e) All commercial operation of motor vehicles for hire in the City and County of San Francisco shall be subject to regulation under this Article, except to the extent that such regulation is preempted or precluded by state or federal law. It is the intent of the Board of Supervisors that this Article shall apply to all motor vehicles for hire, including those which may from time to time be deregulated by state or federal authority although now or in the future exempted from regulation hereunder by virtue of state or federal law.

(f) The public will benefit from additional efforts to enforce the provisions of this Article, and a portion of the cost of enforcement should be funded through fees collected from holders of permits issued under this Article.

SEC. 1076. DEFINITIONS. For purposes of this Article the following words and phrases are defined and shall be construed as hereinafter set forth:

/ / /

(a) "Motor vehicle for hire" Defined. A "motor vehicle for hire" is hereby defined to mean and include every type, kind, and class of privately-owned motor-propelled passenger-carrying vehicle for hire over which the City and County of San Francisco may exercise jurisdiction.

(b) "Taxicab" Defined. A "taxicab" is hereby defined to be a motor vehicle for hire of a distinctive color or colors and which is operated at rates per mile or upon a waiting-time basis, or both, and which is equipped with a taximeter and which is used for the transportation of passengers for hire over and along the public streets, not over a defined route but, as to the route and destination, in accordance with and under the direction of the passenger or person hiring such vehicle.

(c) "Taximeter" Defined. A "taximeter" is hereby defined to be an instrument or device attached to a motor vehicle for hire by means of which instrument or device the charge authorized for hire of such vehicle is mechanically calculated either on a basis of distance traveled or for waiting time, or a combination thereof, which charges shall be indicated upon such taximeter by means of figures, in dollars and cents.

(d) "Taxicab dispatch service" Defined. A "taxicab dispatch service" is hereby defined to be any person, business, firm, partnership, association, or corporation which holds itself out to the public in general as a source of taxicab service by or through which taxicabs may be summoned or dispatched by radio.

(e) "Taxicab color scheme" Defined. A "taxicab color scheme" is hereby defined to be color scheme, design or dress for taxicabs that is distinguishable from the color scheme, design or dress customarily used for private automobiles.

/ / /

(f) "Jitney" Defined. A "jitney" or "jitney bus" is defined to be a motor vehicle for hire less than 20 feet in length traversing the public streets between certain definite points or termini and conveying no more than 15 passengers for a fixed charge, between such points or any intermediate points, and so held out, advertised, or announced; provided, however, that the size and passenger limitations established herein shall not apply to any vehicle operated as of July 1, 1983. A jitney bus is hereby declared to be a common carrier and is subject to the regulations prescribed in the Municipal Code and in this Article.

(g) "Motorized rickshaw" Defined. A "motorized rickshaw" is hereby defined to be a passenger carrying motor vehicle for hire having three or four wheels, convertible type, designed to carry not more than four passengers. The gross weight of a motorized rickshaw shall not exceed 4,700 pounds, unloaded, and shall have a wheel base not to exceed 95 inches, and shall have an engine not to exceed four cylinders. A motorized rickshaw shall have a cloth hood over the rear seating area that shall resemble the hood of a traditional oriental rikisha or jinrikisha.

(h) "Limousine" Defined. A "limousine" is hereby defined to be a passenger-carrying motor vehicle for hire, of private appearance (except as to license plates), not equipped with a taximeter, designed to accommodate seven or eight persons, inclusive of a driver, and used for the transportation of persons for hire over and along the public streets, not over a fixed and defined route but, as to route and destination, in accordance with and under the direction of the passenger or person hiring such limousine, the charges for use of which are based upon rates per mile, per trip, per hour, per day, per week or per month.

/ / /

(i) "Funeral limousine" Defined. A "funeral limousine" is hereby defined to be any limousine used exclusively in the business of any undertaker or funeral director.

(j) "Sightseeing bus" Defined. A "sightseeing bus" is hereby defined to be a motor vehicle for hire used in the conveyance, for hire, of tourists and sightseers, over the public streets, for the purpose of a sightseeing trip or tour in the visiting and viewing of places of interest. A "sightseeing bus" is hereby declared to be a common carrier and subject to the regulations prescribed in the Municipal Code and this Article.

(k) "Interurban bus" Defined. An "Interurban bus" is hereby defined to be a motor vehicle for hire, other than a jitney bus used for transporting passengers for hire over and along the public streets between certain definite points or termini, one within and the other without the limits of the City and County of San Francisco. An "interurban bus" is hereby declared to be a common carrier and subject to the regulations prescribed in the Municipal Code and this Article.

(l) "Permittee" Defined. "Permittee" is hereby defined to mean any person, business, firm, partnership, association, or corporation which holds any permit or license issued by or under the authority of the City and County of San Francisco to operate or drive any motor vehicle for hire. "Permit holder" means "permittee."

(m) "Operator" Defined. "Operator" is hereby defined to mean any person, business, firm, partnership, association, or corporation licensed by the City and County of San Francisco pursuant to the provisions of this Article and any agent of such permittee including, but not limited to, any manager or lessee of said permittee.

(n) "Driver" Defined. "Driver" is hereby defined to mean any person engaged in the mechanical operation and having physical charge or custody of a motor vehicle for hire while said motor vehicle for hire is available for hire or is actually hired.

(o) "Full-time driver" Defined. "Full-time driver" is hereby defined to mean any driver actually engaged in the mechanical operation and having physical charge or custody of a motor vehicle for hire which is available for hire or actually hired for at least four hours during any 24-hour period on at least 75 percent of the business days during the calendar year.

(p) "Stand" Defined. "Stand" is hereby defined to be a place designated by the Department of Public Works for the use, while awaiting employment, of the particular motor-propelled passenger-carrying vehicles authorized to utilize the same.

(q) "Police Commission" Defined. "Police Commission" as used herein means the Police Commission of the City and County of San Francisco.

(r) "Police Department" Defined. "Police Department" as used herein means the Police Department of the City and County of San Francisco.

(s) "Chief of Police" Defined. "Chief of Police" as used herein means the Chief of Police of the Police Department of the City and County of San Francisco and his designated agents within the Police Department.

(t) "Tax Collector" Defined. "Tax Collector" as used herein means the Tax Collector of the City and County of San Francisco.

(u) "Controller" Defined. "Controller" as used herein means the Controller of the City and County of San Francisco.

(v) "Department of Public Works" Defined. "Department of Public Works" as used herein means the Department of Public Works of the City and County of San Francisco.

(w) "Employer's Bus" Defined. "Employer's Bus" as used herein means a bus or other vehicle capable of transporting 12 or more persons, including the driver, which is regularly operated and maintained in order to transport employees to and from various business locations by a person or corporation which employs 100 or more persons at one location within the City and County of San Francisco.

(x) "Employer's Bus Stand" Defined. "Employer's Bus Stand" as used herein means that portion of the street which the Department of Public Works designates as reserved for the exclusive use of one or more Employers' Buses in order to load and unload passengers at a business location of the employer.

SEC. 1077. ADMINISTRATION OF THIS ARTICLE; AUTHORITY TO ISSUE REGULATIONS.

(a) Rules and Regulations. The Chief of Police from time to time shall, after a noticed public hearing, adopt such rules and regulations to effect the purposes of this Article as are not in conflict therewith.

(b) Administration of Regulations. As set forth elsewhere in this Article, the Police Commission and the Chief of Police shall be charged with administering and enforcing the provisions of this Article, and any rules or regulations promulgated hereunder.

SEC. 1078. PERMIT REQUIRED FOR OPERATION OF MOTOR VEHICLES FOR HIRE; EXCLUSIONS.

(a) Permit Required. No person, business, firm, partnership, association, or corporation shall drive or operate any motor vehicle for hire on the public streets of the City and County of San Francisco, nor shall any person, business, firm, partnership, association, or corporation operate any taxicab radio-dispatch service or taxicab color scheme in the City and County of San

Francisco, without a permit issued by the Police Commission authorizing such driving or operation in accordance with the provisions of this Article.

(b) Limitation on Types of Vehicles for Hire. No person, business, firm, partnership, association, or corporation shall drive or operate, directly or indirectly, any motor vehicle for hire on the public streets of the City and County of San Francisco which is not specifically defined in this Article; provided, however, that the Police Commission may declare, after a noticed public hearing, that the public convenience and necessity require the operation of a type, kind, or class of motor vehicle for hire not herein defined, and issue a permit or permits for such type, kind, or class of motor vehicle for hire in accordance with the procedures and provisions set forth in Sections 1079 through 1081 of this Article.

(c) Exclusion for Vehicles Licensed in Other Jurisdictions. This Article shall not apply to any motor vehicle for hire duly licensed by any city, county or other public entity which may enter the City and County of San Francisco for the purpose of delivering passengers who have hired said motor vehicle for hire within a jurisdiction in which said motor vehicle for hire is licensed to operate; provided, however, that no such motor vehicle for hire shall accept or be hired by any passenger while in the City and County of San Francisco.

(d) Exclusion for Vehicles Licensed by California PUC. This Article shall not apply to the operation of motor vehicles engaged in the business of, or used for, transporting passengers for hire when such motor vehicles are operated under and by authority of certificates of public convenience and necessity issued by the Public Utilities Commission of the State of California; provided, however, that this clause shall be construed to create an exception

only to the extent, character and type of operation expressly prescribed and authorized by the certificate issued by said Public Utilities Commission and shall be limited by and entirely within the scope of said certificate as issued by said Public Utilities Commission.

(e) Partial Exclusion for Funeral Limousines. Any person engaged in the business of undertaker or funeral director desiring a permit for the operation of a limousine or limousines used solely in connection with said business shall not be required to qualify under Sections 1079 through 1081 or Sections 1091 through 1094 of this Article; provided, however, that the Police Commission shall have the power to grant permits exclusively for such funeral limousines after a noticed hearing on an application therefor. The Police Commission may prescribe the form and content for such applications. All funeral limousine permittees shall be subject to the condition and rule making authority of the Police Commission and the Chief of Police as provided for in Section 1077 of this Article. Such permits shall be nonassignable and nontransferable.

(f) Exclusion for Employers' Buses. No permit is required under this Article for the operation of an employer's bus as defined in Section 1076(w).

(g) Exclusion for Private Ambulances. This Article shall not apply to private ambulances regulated under Part II, Chapter V of the Municipal Code (Health Code).

(h) Exclusion for Rail Vehicles. This Article shall not apply to any vehicle operating on fixed tracks or rails.

SEC. 1079. ISSUANCE OF PERMITS; APPLICATIONS; HEARINGS.

(a) Scope of Section. To the extent the provisions of this Section and Sections 1080 through 1088 of this Article are inconsistent with the provisions of Sections 2.1 through 2.30 of

Article I of the San Francisco Police Code, the provisions of this Article shall be applicable to all permits for the operation of motor vehicles for hire granted pursuant to this Article; provided, however, that certain alternative and additional provisions with respect to permits for the operation of taxicabs are set forth below in Sections 1120 et seq. Provisions of this Section shall not apply to taxicab dispatch service, taxicab color scheme permits, or permits for the operation of a rental vehicle business under Division 8 of this Article.

(b) Police Commission to Issue Permits. The Police Commission shall issue permits for the operation of motor vehicles for hire that are provided for in this Article as the public convenience and necessity shall require. The Police Commission shall not issue a permit for any motor vehicle for hire service not defined in Section 1076 hereof, except as provided for in Section 1078(b) of this Article.

(c) Declaration of Public Convenience and Necessity. No permit shall be issued for the operation of any motor vehicle for hire unless and until the Police Commission shall by resolution declare that public convenience and necessity require the proposed service for which application for a permit is made and the applicant is found to be eligible under all the requirements of this Article.

(d) Hearings to Determine Public Convenience and Necessity. The Police Commission shall hold hearings to determine public convenience and necessity pursuant to all applications for the issuance of permits to operate motor vehicles for hire. Protests against the issuing of a permit may be filed with the Police Commission. The Police Commission shall consider all protests and in conducting its hearing shall have the right to call such additional witnesses as it desires. In all such hearings, the

burden of proof shall be upon the individual applicant to establish by clear and convincing evidence that public convenience and necessity require the operation of the vehicle or vehicles for which permit application has been made, and that such application in all other respects should be granted. Subject to the provisions of subsection (e) of this Section, hearings on applications for declaration of public convenience and necessity shall be held at least once each calendar year for each type, kind, or class of permit for which one or more applications are pending.

(e) Consolidation of Hearings Permitted. The Police Commission may consolidate for hearing and determination of public convenience and necessity all applications for a given type, kind, or class of permit. Any declaration of public convenience and necessity made by the Police Commission pursuant to such a consolidated hearing shall be valid and binding as to the total number of permits authorized for a particular type, kind, or class of permit and as to each application included for hearing in said consolidated hearing and shall have continuing force and effect until the next subsequent Police Commission hearing on public convenience and necessity as to that particular type, kind, or class of permit. Any applicant whose application is called for hearing at a consolidated hearing may rely upon the testimony and evidence adduced before the Police Commission by other pending applicants and may choose not to give additional evidence of public convenience and necessity, in the sole discretion and judgment of the individual applicant; provided, however, that the burden of proof in establishing public convenience and necessity shall remain on each applicant.

(f) Notice of Commission's Determination. Written notice of

a declaration of public convenience and necessity by the Police Commission shall be given to all subject applicants and all protestors whose names and addresses are known to said Commission. Such notice shall be given forthwith upon the adoption of such declaration. A declaration of public convenience and necessity made at or as a result of a consolidated hearing under subsection (e) of this Section may be appealed to the Board of Permit Appeals as set forth in Section 3.651 of the Charter of the City and County of San Francisco.

(g) Separate Hearings for Individual Applicants. Notwithstanding any consolidated hearing on public convenience and necessity as provided for in subsection (e) of this Section, every applicant for a permit to operate a motor vehicle for hire shall have a separate hearing to review and determine the applicant's individual eligibility and compliance with all applicable laws, rules, and regulations before a permit is issued, notice of which shall be given in the same manner as set forth in Section 1080(a) of this Article. The Police Department shall investigate each applicant and shall report to the Police Commission on the results of said investigation at the time of the hearing on the applicant's individual qualifications. If public convenience and necessity is declared for the issuance of a permit and an applicant is found to be eligible therefor after consideration by the Police Commission of the factors set forth in Section 1081 of this Article, the Police Commission shall so notify the applicant. Within 60 days thereafter the applicant shall furnish to the Police Commission any and all additional information which may be required. If the Police Commission then finds that the applicant, in addition to complying with all other requirements, is the owner of the vehicle or vehicles for which a permit is sought, and that each such vehicle meets with

all applicable statutes, ordinances, rules, and regulations, it shall thereupon issue the permit. A finding made at or as a result of a hearing under this Section may be appealed to the Board of Permit Appeals as set forth in Section 3.651 of the Charter of the City and County of San Francisco.

(h) Conditions on Permits. The Police Commission may attach such conditions as it deems to be consistent with public convenience and necessity upon any new permit issued under this Article. From time to time, existing permits or those issued without conditions may be made subject to such conditions as the Police Commission may determine to be consistent with public convenience and necessity after a hearing of which notice is given to all affected permittees and the public in the manner prescribed for giving notice in Section 1080(a) of this Article.

SEC. 1080. PERMIT APPLICATIONS.

(a) Forms and Applications; Notice of Hearing. Application for a permit required by this Article shall be made to the Police Commission on a form to be furnished by the Police Commission. The form shall specify, and the application shall state, such information as the Police Commission reasonably shall require. Within 14 days of the filing of such an application with the Police Commission, it shall cause a notice to be published in a newspaper approved for the giving of official notices of the City and County of San Francisco, which notice shall state that an application has been filed for a permit pursuant to this Article (specifying the type, kind, or class), the name of the applicant, the kind of equipment to be used, and such other information as may be necessary to identify the applicant and to specify the type, kind, or class of permit or service. If the hearing on an individual application is held more than 45 days after the last such notice was published,

that notice shall be republished, commencing at least 14 days prior to the hearing. The notices required by this Section shall be published for three successive days and shall state the date, time, and place set for the hearing thereon.

(b) Fee for Application. Applicants for permits authorized by this Article shall pay to the City and County of San Francisco a sum to cover the costs of advertising, investigating, and processing the application for each permit, such sum to be determined periodically as deemed appropriate by the Police Commission. No application for a permit under this Article shall be deemed to be complete until and unless such sum is fully paid.

(c) Applications Deemed Active. Every application for a motor vehicle for hire permit shall be deemed to remain active and shall be considered until the earliest of the following events:

(1) The applicant withdraws the application in writing;

(2) The applicant is deemed to be ineligible by a vote of the Police Commission; or

(3) The applicant receives a permit;

(d) Notwithstanding the provisions of subsection (c), the Chief of Police may adopt regulations requiring applicants periodically to reaffirm that their applications are active.

SEC. 1081. FACTORS CONSIDERED IN ISSUING PERMITS.

(a) General Factors. The Police Commission, in determining whether an individual applicant is eligible for the issuance of a motor vehicle for hire permit pursuant to Section 1079(g) of this Article, may consider such facts as it deems pertinent, but must consider the following:

(1) Whether the applicant is financially responsible and will comply with all insurance requirements and will maintain proper financial records.

(2) Whether the applicant has complied with all applicable statutes, ordinances, rules and regulations.

(3) Whether the applicant holds or has ever held any other permits issued to operate a motor vehicle for hire either in the City and County of San Francisco or elsewhere and the record of such applicant with regard to any such other or former permits.

(b) No permit to operate a motor vehicle for hire shall be issued unless the person applying for the permit shall declare under penalty of perjury his or her intention actively and personally to engage as permittee-driver under any permit issued to him or her for at least four hours during any 24 hour period or at least 75 percent of the business days during the calendar year. Notwithstanding any contrary provision in this Article, the requirement set forth above shall not apply to any person holding a permit issued on or before July 1, 1978. Every permittee subject to the provisions of this Section shall drive his or her taxicab for at least the amount of time set forth herein unless permission not to do so has been granted pursuant to the provisions of Section 1096(c) of this Article.

(c) Order of Consideration. Subject to any preference created by this Article, all applications for motor vehicle for hire permits shall be processed and considered in the order of their receipt by the Police Commission.

SEC. 1082. ONLY NATURAL PERSONS LICENSED; ONE PERMIT PER PERSON; INDIVIDUAL PERMITTEES ONLY; EXCEPTIONS.

(a) Individual Permit Holders. No permit to operate a motor vehicle for hire shall be issued except to a natural person and in no case to any business, firm, partnership, association, or corporation, except as provided for in subsection (c) of this Section. No more than one taxicab permit shall be issued to any one person, except as provided in subsection (c) of this Section.

(b) Permits Issued Only to Single Permittees. Except for permits issued in the name of more than one person prior to the effective date of this Article, no permit to operate a motor vehicle for hire shall be issued to, or in the name of, more than one person.

(c) Exceptions for Existing Permits. The provisions of subsection (a) of this Section shall not apply to any permit issued on or before July 1, 1978 that has been renewed and maintained in effect continuously since that date. Such permits shall continue in effect.

SEC. 1083. SALE OR TRANSFER OF CORPORATE PERMITTEE; CORPORATE RECORDS.

(a) Permits Void in Event of Transfer or Sale of Permittee. Any permit to operate a motor vehicle for hire held by a permittee that is not a natural person and which permit would otherwise remain in effect pursuant to Section 1082(c) shall be deemed null and void and revoked in any of the following circumstances:

(i) If the permittee is or was sold or transferred at any time after June 6, 1978; with a cumulative sale or transfer of (A) 10 percent or more of the stock or other ownership of the permittee, or (B) 10 percent of the permittee's assets since June 6, 1978 constituting a sale or transfer for purposes of this Section unless such sale or transfer has been approved by the Police Commission in conformance with the requirements of this Article and San Francisco Charter, Appendix F.

(ii) If after the effective date of this Article the management or control of the permittee is transferred for consideration;

(iii) If after the effective date of this Article the permittee's rights to receive income derived from the lease of a permit is assigned, transferred or sold.

(b) Corporate Records. Any corporation holding a permit hereunder shall maintain a stock register at the principal office of the corporation in San Francisco and the stock register shall be available to the Police Department for inspection. Such corporation shall report to the Department in writing any of the following:

(i) Issuance or transfer of any shares of stock.

(ii) Change in any of the corporate officers which is required by Section 821 of the California Corporations Code.

(iii) Change of any member of its board of directors.

(c) Any report required pursuant to this Section shall be filed with the Police Department within ten days of the change, sale or transfer to be reported.

SEC. 1084. PERMITS A PRIVILEGE; NON-TRANSFERABILITY OF PERMITS; NOTICE RE DEATH OF PERMITTEE; LEASE OF PERMIT PROHIBITED AFTER PERMITTEE'S DEATH.

(a) Permits granted pursuant to this Article constitute a privilege and do not constitute property of the permittee. Except as provided in Sections 1131(b) (taxicab color scheme permits) and 1133(b) (taxicab dispatch service permits) of this Article, no permit issued under this Article shall be transferable or assignable, either expressly or by operation of law.

(b) Within 14 days of the death of any living person holding a permit issued under this Article, the taxicab dispatch service with which that permit is affiliated, if it has knowledge of the permittee's death, and each lessee of the permittee's permit who has knowledge of the permittee's death, shall notify the Chief of Police in writing of the permittee's death.

(c) It shall be unlawful to attempt to lease or lease, as lessor or lessee, any permit issued pursuant to this Article with knowledge that the person in whose name that permit is issued is deceased.

SEC. 1085. PERMIT FEES.

(a) Payment of Fees Required. It shall be unlawful for any person required to obtain a permit pursuant to the provisions of this Article to operate a motor vehicle for hire, a taxicab dispatch service or a taxicab color scheme, without first obtaining the required permit and paying the applicable fee therefor.

(b) Permit Fee. The fees charged for permits issued pursuant to this Article shall be set annually by the Board of Supervisors in an amount adequate to cover the estimated actual costs of the enforcement of this Article, including personnel, pursuant to Section 2.2 of Article I of the San Francisco Police Code; provided, however, that after January 1, 1990 said fees shall not be increased by an amount greater than 10 percent of the fee set for the preceding year. A pro-rated fee shall be charged for any license issued pursuant to subsection (a) hereof for a period of less than one full year.

(c) Notification of Number of Permits. The Chief of Police shall notify the Controller and the Tax Collector of the number of motor vehicle for hire permits in effect, and the seating capacity of the vehicles for which the permits were granted; and, whenever additional permits are granted, or existing permits are modified or revoked during the year, the Controller and the Tax Collector shall be notified of same immediately. These notifications shall be in writing and signed by the Chief of Police, and shall be made on the following dates:

(i) Taxicabs and limousines - on the 30th day of June of each year;

(ii) All other motor vehicles for hire - on the 31st day of December of each year.

SEC. 1086. DURATION OF LICENCES, ETC.; EXISTING PERMITS.

(a) Expiration Dates for Permits, Etc. All licenses and medallions issued under the provisions of this Section for the operation of taxicabs and limousines shall expire on the 1st day of July next following their issuance. All other permits issued pursuant to this Article shall expire the 1st day of January next following their issuance.

(b) Permits for the operation of motor vehicles for hire in effect on the effective date of this Article shall remain in full force and effect subject to the other provisions of this Article.

SEC. 1087. ENFORCEMENT FUND.

All permit fees collected pursuant to this Article shall be held in trust by the Treasurer of the City and County of San Francisco and shall be distributed according to the fiscal and budgetary provisions of the San Francisco Charter subject only to the following conditions and limitations: the proceeds from permit fees collected pursuant to this Article, including earnings from investments thereof, may be used only to compensate and defray the capital and operating costs incurred by the City and County of San Francisco in enforcing the provisions of this Article, including, without limitation, the costs incurred by the Police Department and the Controller to comply with their obligations as set forth in this Article. The foregoing permit fee fund is necessary for the purpose of regulation and to provide for the necessary investigation, inspection, and administration under, and enforcement of, the provisions of this Article.

SEC. 1088. MEDALLIONS.

(a) Issuance and Display. The Police Department shall issue a metallic medallion of a design approved by the Police Commission for each motor vehicle for hire license issued pursuant to the

provisions of Section 1079 through 1081 hereof. During all hours of operation of a motor vehicle for hire, the medallion shall be placed in the lower right corner of the windshield in such a manner that the serial number shall be clearly visible from the exterior of the vehicle; provided, however, that the Chief of Police shall designate the manner of displaying the medallion on motorized rickshaws and limousines.

(b) Medallion Fees. Every motor vehicle for hire permit holder shall pay to the Police Department for each metallic motor vehicle for hire medallion a sum to cover the costs of producing and processing each such metallic motor vehicle for hire medallion as may be issued to him or her pursuant to the provisions of this Section. Said fees shall be paid once each calendar year in an amount to be determined annually by the Police Commission.

SEC. 1089. DRIVERS PERMITS.

(a) Permit Required. It shall be unlawful for any person to act as a driver of any motor vehicle for hire licensed pursuant to this Article unless that person holds a driver's permit from the Police Department issued pursuant to this Section.

(b) Application. Application for a permit to drive a motor vehicle for hire shall be made to the Chief of Police on a form provided by the Police Department and shall pay to the City and County of San Francisco a fee to cover the costs of investigating and processing the application, such fee to be determined periodically as deemed appropriate by the Police Commission. No application for a driver's permit hereunder shall be deemed to be complete until and unless such sum is fully paid.

(c) Examination for Permit. Every applicant for a driver's permit as required by this Article shall be required to take and pass an examination given by the Chief of Police. Said examination

shall cover the provisions of this Article and all rules or regulations promulgated pursuant thereto, the California Vehicle Code, the traffic regulations of the City and County of San Francisco, and the geography of the City and County of San Francisco.

(d) Requisites for Driver's Permit. Each applicant for a driver's permit from the Chief of Police must:

(1) Be a resident of the United States, of good moral character;

(2) Be of the age of 21 years or over;

(3) Be of sound physique, with good eyesight and not subject to any disease, condition, infirmity, or addiction to the use of alcohol or any controlled substance, which might render the applicant unfit for the safe operation of a taxicab or other motor vehicle for hire;

(4) Be able to read and write the English language;

(5) Be clean in dress and person;

(6) Hold a valid California driver's license of a class sufficient for the lawful operation of the motor vehicle to be driven.

(e) Photographs of Applicant. Each applicant for a driver's permit under this Section must file with his or her application two recent photographs of himself or herself of a size that may be easily attached to a motor vehicle for hire driver's license. One copy of said photograph shall be attached to the license when issued, and carried by such licensed driver at all times when driving a taxicab or other motor vehicle for hire. The photograph shall be so attached to the license that it cannot be removed and another photograph substituted without detection. Each licensed driver shall, upon demand by any police officer or passenger, exhibit his license and photograph for inspection. The other copy

of the photo shall be filed with the application to the Police Department.

(f) Issuance of Permit. After approving the application, the Chief of Police shall forward notice of that approval to the Tax Collector, who shall issue the permit upon payment by the applicant of the applicable fee.

(g) Badges for Drivers. In addition to the permits required by this Section, there shall be furnished to each licensed driver of a taxicab, or other motor vehicle for hire, upon the presentation of a driver's annual permit granted by the Chief of Police, a badge of such form and style as the Tax Collector may prescribe, with the license number of such driver thereon, which must, under penalty of revocation of the license, be constantly and conspicuously displayed on the outside of the driver's clothing when engaged in his or her employment, and shall only be worn by the person to whom the badge is issued.

In addition thereto, the Tax Collector shall issue annually, to the person named in such permit, a driver's annual identification card which identification card shall be of such design and lettering as the Tax Collector shall determine. Separate fees shall be charged for the identification card and the driver's badge to cover the cost of issuance.

(h) Renewal of Drivers Permits. Driver's licenses and permits shall be issued as of the first day of January of each year, and shall be valid unless revoked or suspended, up to and including the 31st day of December, next succeeding. The Chief of Police may cause the renewal of the driver's license from year to year upon the filing with the Tax Collector of a statement by the driver providing his or her current address and current employer and the payment of the annual license fee. All driver's licenses and permits which are

valid on the effective date of this Article shall remain in effect and may be renewed under this Section.

SEC. 1090. REVOCATION OF PERMITS.

(a) Revocation for Cause. Any permit issued under this Article may be suspended or revoked by the Police Commission for good cause after a noticed hearing. "Good cause" hereunder shall include, but shall not be limited to, the following:

(i) The permittee ceased to be a full-time driver.

(ii) The permittee failed to pay a permit fee after notice of non-payment.

(iii) The permittee or the lessee of the permittee's permit operated without the insurance required by this Article.

(iv) The permittee or an agent of the permittee knowingly made false statements to or concealed information from the Police Commission, the Chief of Police or the Police Department.

(v) The permittee has been convicted of any crime involving moral turpitude.

(vi) The permittee has failed to satisfy any judgment for damages arising from unlawful or negligent operation under any permit issued under this Article.

(vii) The permittee has been convicted of a misdemeanor under Section 1185 of this Article.

(viii) The permittee violated the Traffic Code of the City and County of San Francisco or the Vehicle Code or related laws of the State of California.

(ix) The permittee violated any applicable statute, ordinance, rule or regulation pertaining to the operation or licensing of the vehicles and services regulated by this Article, including any rules and regulations enacted by the Chief of Police pursuant to this Article.

Upon a showing of good cause, the Police Commission shall have discretion to suspend or revoke a permit as set forth above, except that a suspension and/or revocation shall be mandatory in the circumstances described in subparts (i) through (vi) above.

(b) Revocation of More Than One Permit. Where a person violating this Article holds more than one permit to operate a motor vehicle for hire in the City and County of San Francisco, the Police Commission may revoke or suspend all such permits.

(c) Suspension by Chief of Police. The Chief of Police may suspend summarily any permit issued under this Article pending a disciplinary hearing before the Police Commission when in the opinion of said Chief of Police the public health or safety requires such summary suspension. Any affected permittee shall be given notice of such summary suspension in writing delivered to said permittee in person or by registered letter.

SEC. 1091. INSURANCE REQUIRED. Unless otherwise provided by ordinance, no person, firm or corporation, shall operate any motor vehicle for hire unless and until such person, firm or corporation shall comply with the provisions of either Section 1092 or 1094 of this Article.

SEC. 1092. FILING INSURANCE POLICIES OR BOND WITH POLICE COMMISSION.

(a) Each person, firm or corporation holding a permit to operate a motor vehicle for hire pursuant to this Article shall file with the Police Commission and thereafter keep in full force and effect a policy of insurance in such form as the Police Commission may deem proper and executed by an insurer approved by the said Commission insuring the public against any loss or damage that may result to any person or property from the operation of such vehicle or vehicles. Except as provided in subsections (b) through (d) of

this section, the minimum amount of recovery in such policy of insurance shall be not less than the following sums:

(i) Personal injury to or death of any one person, $100,000 and subject to the limit of $100,000 for each person injured or killed, $450,000 for such injury to, or the death of two or more persons in any one accident;

(ii) Damage to property, $25,000 for any one occurrence.

(iii) In lieu of the requirements in (i) and (ii) above, combined single limit coverage of $500,000.

(b) For vehicles having a seating capacity of more than 10 persons the limit of liability for personal injury to, or death of any one person shall be $50,000 and subject to the limit of $50,000 for each person injured or killed, $100,000 for such injury to, or death of two or more persons in any one accident; damages to property, $25,000 for any one occurrence.

(c) A person, firm or corporation holding a permit to operate a motor vehicle for hire pursuant to this Article, may, in lieu of the aforesaid policy of liability insurance, file with said Commission a bond in such form as the Commission may deem proper executed by a surety company duly authorized to do business within the State of California. The bond shall be conditioned for the payment of the amounts set forth hereinabove and shall provide for the entry of judgment on motion of the state in favor of any holder of a final judgment on account of damages to property or injury to any person caused by the operation of such person's, firm's or corporation's motor vehicle.

If such person, firm or corporation owns or offers for hire one or more such motor vehicles, bonds shall be in the sum as follows:

(i) If only one, $100,000 any one occurrence.

(ii) If more than one but less than six, $200,000 for any one occurrence.

(iii) If more than five but less than 21, $450,000 for any one occurrence.

(iv) If more than 20 but less than 61, $600,000 for any one occurrence.

(v) If more than 60 but less than 101, $1,000,000 for any one occurrence.

(vi) If more than 100, $3,000,000 any one occurrence.

Subject to the limits shown for any one occurrence, the bond shall be conditioned to pay $100,000 for injury to any one person and $25,000 for damage of property of any one person.

(d) For vehicles having a seating capacity of more than ten persons, said bond shall be in an amount for any one occurrence which shall be twice the corresponding amounts as set forth in subsections (c)(i) through (c)(vi) of this Section.

SEC. 1093. NEW POLICY TO BE FURNISHED. If, at any time, the policy or certificate of insurance referred to in Sections 1091 and 1092 is cancelled by the issuing company, the insured-permittee shall report that fact to the Chief of Police within three days after the insured-permittee received notice of cancellation. The permittee shall replace said policy or certificate with another policy or certificate prior to the termination of the existing policy or certificate and provide immediate verification of that replacement policy or certificate to the Chief of Police. The Chief of Police shall thereafter review the replacement policy or certificate to verify that the insurer issuing the replacement policy or certificate satisfies the provisions of Section 1092 above.

SEC. 1094. PROVISIONS FOR SELF-INSURERS. Any person, firm, corporation, association or organization of owners of vehicles for

hire who have a certificate of self-insurance from the State of California pursuant to Sections 16500 and 16056 of the Vehicle Code may file said certificate together with a policy of insurance providing excess insurance over self-insurance retention for single limit of not less than $1,000,000 applying to bodily injuries or property damage or a combination thereof, with the Police Commission, and shall thereupon be deemed in compliance with the provisions of Section 1092 of this Article.

SEC. 1095. INFORMATION TO BE FILED WITH CHIEF OF POLICE.

(a) Information re Other Permits. No person, firm, or corporation shall operate or cause to be operated any motor vehicle for hire, unless and until such person, firm, or corporation shall file with the Police Commission a sworn statement setting forth the permits and/or certificates held, or proposed to be acquired, by applicant from other governmental bodies relating to the proposed operation, and annually thereafter, and not later than the first week in May of each year, and as often as said Commission shall direct, file a sworn statement setting forth the permits and/or certificates then held by applicant from other governmental bodies relating to said operation, together with a sworn statement showing full compliance with all provisions of the Municipal Code and/or state or federal laws applicable to said operations. Failure to file such statement or statements shall constitute a violation of this Article and shall be deemed a cause for cancellation of any and all permits to so operate.

Excepting, however, every person, firm or corporation having heretofore filed such statement with the Board of Supervisors, shall file such annual statement as provided herein.

(b) Financial Information. The Controller of the City and County of San Francisco shall establish rules and regulations for

the keeping and filing of financial statements, and accounting books and records, by permittees under this Article. The purpose of such rules and regulations shall be to provide information to the Board of Supervisors with respect to maximum rates to be authorized for motor vehicles for hire and to the Police Commission for the performance of its duties under the law.

SEC. 1096. CONTINUOUS OPERATION REQUIRED.

(a) Requirement. All permittees under this Article shall regularly and daily operate or arrange for the operation of their motor vehicle for hire during each day of the year to the extent reasonably necessary to meet the public demand for such motor vehicle for hire service.

(b) Revocation Upon Abandonment. Upon abandonment of such business for a period of ten consecutive days by a permittee or operator, the Police Commission shall, after five days written notice to the permittee or operator, revoke the permit or permits of such permittee or operator; except as provided in subsection (c) of this Section.

(c) Suspension of Operations. The Police Commission may, on written application and following an investigation, grant to the holder of any permit hereunder permission to suspend operation pursuant to such permit for a period not to exceed 90 calendar days in any one twelve-month period in case of sickness, death, or other similar hardship. Nothing in this subsection shall be in conflict with or limit the provisions of Section 1153 of this Article pertaining to a suspension of operation by a jitney bus permittee.

(d) Motorized Rickshaws. Notwithstanding any contrary provisions of this Section, the Police Commission is authorized to allow any motorized rickshaw permittee to suspend operation during those times when, in the judgment of the Police Commission, public

convenience and necessity would not suffer as a result of the suspension of such operation. In making such determination, the Police Commission may consider the average weather conditions during such period of suspended operations and the availability of tourists wishing to use the services offered by a motorized rickshaw.

SEC. 1097. SAFE, CLEAN OPERATION. No vehicle licensed as a motor vehicle for hire shall operate unless it is in a safe operating condition and has body and seating facilities which are clean and in good repair.

SEC. 1098. SMOKING BY DRIVERS PROHIBITED. It shall be unlawful for any driver of a motor vehicle for hire in the City and County of San Francisco to smoke any cigar, pipe or cigarette, or to burn tobacco while passengers are occupying any of the seats in such vehicle.

SEC. 1099. SANITARY CONDITION.

Every person owning or operating, or causing to be operated, any motor vehicle for hire under this Article shall thoroughly wash each such vehicle, when so operated, at least once a week, and shall also carefully sweep and clean each vehicle other than a taxicab daily. Whenever required in writing by the Board of Health of the City and County of San Francisco, every person owning or operating, or causing to be operated, any such vehicle within the limits of said city and county shall fully disinfect each vehicle so operated by spraying the vehicle with an efficient disinfectant.

SEC. 1100. BRAKE INSPECTION. Before taking any descending grade of five percent or over, the speed of any motor vehicle for hire licensed pursuant to this Article other than a taxicab or motorized rickshaw shall be reduced so as to test the working of the brakes thereof. The brakes on all motor vehicles for hire other than taxicabs and motorized rickshaws licensed pursuant to this

Article shall be inspected and tested daily by competent inspectors employed by the person or persons owning or operating, or causing to be operated such vehicles.

SEC. 1101. DRIVING RECKLESSLY OR UNDER INFLUENCE OF INTOXICANTS PROHIBITED. It shall be unlawful for any person who operates a motor vehicle for hire licensed under this Article to do so (a) while under the influence of liquor, or (b) in a reckless and dangerous manner.

SEC. 1102. LOADING REGULATED. It shall be unlawful for any person operating a motor vehicle for hire licensed pursuant to this Article to permit that vehicle to remain standing upon the street for the purpose of loading or unloading passengers unless the vehicle is within two feet of the curb.

SEC. 1103. POSTING SCHEDULE OF RATES. Every taxicab, jitney and sightseeing bus shall have permanently affixed to the interior thereof, in a place readily to be seen by passengers, a frame covered with glass or plastic, enclosing a card upon which shall be printed in plain, legible letters the schedule of rates authorized for carriage in such vehicle and such other provisions of this Article as the Chief of Police shall prescribe. The said frame and enclosed card must be approved by the Chief of Police.

SEC. 1104. FRAUDULENT SOLICITATION PROHIBITED. It shall be unlawful for any person soliciting patronage for any motor vehicle for hire to represent, by word or sign or hatband or insignia or by his manner or style or dress, that the vehicle for which he is soliciting such patronage is a vehicle owned or operated by a person, firm or corporation other than the one who actually owns and operates said vehicle.

SEC. 1105. SOLICITATION AT CERTAIN ENTRANCES PROHIBITED. It shall be unlawful for any runner, soliciting agent, or driver, of

any motor vehicle vehicle for hire, other than a sightseeing bus, to solicit patronage in front of any entrance, exit or gangway of any ferry landing, wharf, depot, theater, circus, hall or other place where people are assembled, within 12 feet thereof, or within 12 feet of the lines of said entrance, exit or gangway produced 12 feet from the front thereof.

SEC. 1106. BOISTEROUS AND VIOLENT SOLICITATION PROHIBITED. It shall be unlawful for any runner or soliciting agent to solicit patronage for a motor vehicle for hire licensed pursuant to this Article in a loud, noisy or boisterous tone of voice, or manner, or to lay hands upon the person or baggage of any person without the express consent of such person, or to obstruct the movement of any person, or to follow any person for the purpose of soliciting patronage.

SEC. 1107. REPORTS OF LOST PROPERTY. Drivers and operators of motor vehicles for hire shall promptly report to the Bureau of Inspectors of the Police Department within 24 hours all property of value found in their vehicles by such drivers or operators or delivered to them by any person who has found such property.

SEC. 1108. PUBLIC STANDS. The following are hereby designated as public stands for licensed taxicabs, limousines and sightseeing buses:

(a) At or near the entrance to docks and wharves of passenger-carrying ships and other vessels;

(b) Railroad depots;

(c) Around such public squares, except Union Square, as may be designated to the Department of Public Works from time to time, but not on the streets, crosswalks or within double lines;

(d) Bus depots;

(e) At or near the entrance to rapid transit stations;

provided, however, that no sightseeing bus shall be permitted to occupy said stands;

(f) All stands heretofore designated by the Department of Public Works pursuant to the provisions of former Section 1117 of this Code; provided, however, that the Board of Supervisors may, by resolution, designate the type, or types, of vehicles which shall be permitted to use any such stand, and may, by resolution, rescind the designation of any such stand;

(g) The Board of Supervisors, after notice has been duly given to the owner of the property fronting the space where such stand is to be located, and after public hearing has been held thereon, may, by resolution, designate such additional public stands as it finds necessary for the convenience of the public, and in its absolute discretion, may, by resolution, designate the type, or types of vehicles, including "jitney buses," which shall be permitted to use any such stand or to rescind the designation of any such public stand.

SEC. 1109. REGULATING STANDING. No driver of any taxicab or limousine while awaiting employment by passengers, shall do any of the following:

(a) Stand on any public street or place other than or upon a stand designated or established in accordance with the provisions of Section 1108 of this Article; or,

(b) Seek employment by repeatedly and persistently driving his vehicle to and fro for a short space in front of any theater, hall, hotel, public resort, railroad or ferry station or other place of public gathering; or,

(c) Interfere with the proper and orderly access to or egress from any theater, hall, hotel, public resort, railroad or ferry station or other place of public gathering.

SEC. 1110. FALSE STATEMENTS PROHIBITED.

It shall be unlawful knowingly to make any false or misleading representation, or knowingly to conceal information where this Article requires that that information be disclosed, in connection with the application for, renewal of, or possible revocation of a permit issued under this Article.

DIVISION 2 - TAXICABS

SEC. 1120. TAXICAB PERMITS. It shall be unlawful to own or operate a taxicab in the City and County of San Francisco unless a taxicab permit has been issued by the Police Commission for the operation of that vehicle. Taxicab permits shall be applied for and issued pursuant Sections 1079 through 1081 and this Division of this Article.

SEC. 1121. PERMIT APPLICATIONS; PREFERENCES.

(a) Submission of Applications; Existing Waiting List. Applications for taxicab permits on file with the Police Commission on the effective date of this Article ("existing waiting list") shall have priority over all other applications for taxicab permits. Applications for taxicab permits on file prior to the effective date of this Article shall be processed and considered in the order of their receipt by the Police Commission.

(b) New Applications; New Waiting List. Applications for taxicab permits received after the effective date of this Article shall be accepted by the Police Commission and shall be recorded by the date and time at which each application is received. The Police Commission shall maintain a list in the order of receipt ("new waiting list") of all taxicab permit applications in excess of the number of permits authorized pursuant to Section 1079 of this Article. In the absence of any preference provided for in this Article, applicants for taxicab permits shall be processed and

considered by the Police Commission in the order of receipt according to the existing and new waiting lists. All applications on the existing waiting list shall be processed and considered prior to applications on the new waiting list. When a permit becomes available for issue and an applicant on the waiting list is eligible for a hearing before the Police Commission, the Chief of Police shall so notify the applicant.

(c) Preference for Full-Time Drivers. Among the applicants whose names appear on the new waiting list, the Police Commission shall give preference to any applicant who has been a full-time driver as defined in Section 1076(o) of this Article during the 12 months immediately preceding the Police Commission's hearing on that applicant's application, granting permits to all otherwise eligible full-time drivers on the new waiting list before granting permits to others on the new waiting list. Any applicant seeking a preference pursuant to this subsection shall, at least 21 days prior to the hearing at which the applicant seeks to be considered, so notify the Chief of Police in writing and submit evidence to prove that the applicant was a full-time driver in the preceding 12 months.

(d) Determination of Full-Time Driver Status. Each applicant seeking a preference as a full-time driver shall have the burden of proof of showing, by a preponderance of the evidence, that he or she was a full-time driver in the 12 months immediately preceding the Police Commission hearing on his or her application.

SEC. 1122. ELIGIBILITY FOR TAXICAB PERMITS. Before issuing a taxicab permit, the Police Commission shall consider the criteria set forth in Section 1081 of this Article. In addition, before issuing a taxicab permit, the Police Commission must determine that:

(a) the applicant will be a full-time driver;

(b) the applicant will operate said permit under or in

association with a licensed taxicab dispatch service with radio-dispatch capability as defined in Section 1076(d) of this Article; and

(c) the applicant holds a driver's permit pursuant to Section 1089 of this Article.

SEC. 1123. RADIO DISPATCH CAPABILITY.

(a) Radio Required. Commencing 60 days after the effective date of this Article, it shall be unlawful for any taxicab licensed pursuant to this Article to be operated without a radio permitting two-way communication with a taxicab dispatch service licensed pursuant to this Article.

(b) Affiliation With Taxicab Dispatch Service Required. Prior to the issuance of a taxicab permit, every applicant for such a permit shall file with the Police Commission a statement, giving the name, address, and phone number of the taxicab dispatch service through which taxicab service is to be made available to the public pursuant to the permit for which application has been made. Within 60 days of the effective date of this Article, such a statement shall be filed for each permit outstanding on the effective date of this Article. No permit shall be registered to more than one radio-dispatch service. Notice of any change of taxicab dispatch service affiliation must be given to the Police Commission in writing by the taxicab permittee within 10 days of the effective date thereof.

SEC. 1124. LEASE OF TAXICAB PERMIT.

Provided that a taxicab permit is operated in compliance with all other applicable statutes, laws, rules and regulations, a taxicab permittee may operate his or her permit by authorizing another to drive or operate pursuant to said permit under any

otherwise lawful lease, employment, or other agreement. A true and correct copy of such lease, employment, or other agreement shall be filed by the permit holder with the Chief of Police within 10 days of the execution of that agreement. Nothing in this Section shall be deemed to modify, limit, or excuse the obligations of any permittee pursuant to the provisions of Section 1123 of this Article.

SEC. 1125. TAXICAB COLOR SCHEMES; ADOPTION; PERMITS; CHANGES.

(a) Color Scheme Required. Upon the issuance of a taxicab permit, every taxicab permittee shall adopt a distinguishing taxicab color scheme that has been approved by the Chief of Police pursuant to subsection (b) of this Section. The taxicab permittee's choice of color scheme shall be subject to the approval of the Chief of Police, which approval shall be given except when it clearly would not be in the public interest to do so.

(b) Color Scheme Permits. Any holder of a taxicab permit or a taxicab dispatch service permit under this Article may apply to the Chief of Police for taxicab color scheme permit pursuant to Section 1080 of this Article. That permit shall entitle the holder to the exclusive rights to the use of that taxicab color scheme for taxicabs licensed pursuant to this Article; provided, however, that the permittee under this subsection may authorize taxicab permit holders to adopt the licensed taxicab color scheme, as set forth in subsection (a). Notwithstanding the provisions of Section 1083 of this Article (non-transferability of permits), the permits issued pursuant to this Section are tranferrable, subject to the approval of the Chief of Police, who shall determine that the proposed transferee meets the criteria set forth in Section 1081 of this Article. The permittee shall give notice to the Chief of Police of any intended transfer at least 14 days prior to any such transfer.

(c) Existing Color Schemes. All persons and entities who,

prior to the effective date of this Article, have obtained permission from the Chief of Police to use a taxicab color scheme are hereby deemed to be permittees under this Section; provided, however, that such persons or entities shall hereafter pay to the Chief of Police the taxicab color scheme permit fee as established by the Chief of Police.

(d) Change of Color Scheme. It shall be unlawful for any taxicab permittee or operator to make or cause to be made any change whatsoever in the distinguishing color scheme of any taxicab without the prior written approval of the Chief of Police. No change in distinguishing taxicab color scheme shall be allowed if such change will result in the discontinuance, interruption, or reduction of radio-dispatched taxicab service, and the Chief of Police shall consider the impact of a proposed change of distinguishing taxicab color scheme upon the quantity and quality of radio-dispatched taxicab service available to the public before allowing any such change.

SEC. 1126. NAME ON VEHICLE. Every taxicab licensed pursuant to this Article shall have the name under which the owner operates painted in letters at least two inches in height on the side doors of each side of the vehicle.

SEC. 1127. TAXICAB DISPATCH SERVICE PERMITS.

(a) Permit Required. It shall be unlawful to own or operate a taxicab dispatch service in the City and County of San Francisco unless a permit has been issued by the Police Commission for the operation of that service pursuant to the provisions of this Article. Applications for such permits shall be made pursuant to the provisions of Section 1080 of this Article.

(b) Permits Transferrable. Notwithstanding the provisions of Section 1083 of this Article, the permits issued pursuant to this Section are tranferrable, subject to the approval of the Chief of Police, who shall determine that the proposed transferee meets the criteria set forth in Section 1081 of this Article. The permittee shall give notice to the Chief of Police of any intended transfer at least 30 days prior to any such transfer.

SEC. 1135. RATES FOR TAXICABS.

(a) Except as provided in subsection (b) of this Section, the rates of fare for taxicabs shall be as follows: $1.40 for the first sixth mile or "flag"; 25¢ for each additional 1/6 mile or fraction thereof; 25¢ for each one minute of waiting or traffic delay time. For out-of-town trips exceeding 15 miles beyond city limits, the fare will be 150 percent of the metered rate; for trips exceeding 15 miles from San Francisco International Airport and not terminating within the city limits of San Francisco, the fare will be 150 percent of the metered rate except for those trips from San Francisco International Airport traversing through San Francisco going to Marin County or to the East Bay the 15 mile limit will apply from the city limits of San Francisco as set forth above.

(b) There shall be a flat rate of fare for groups of two or more persons of $24 for passengers for trips from the City and County of San Francisco to the San Francisco International Airport or from the San Francisco International Airport to the City and County of San Francisco. Each passenger shall pay a fare equal to $24 divided by the number of passengers sharing the ride. There shall be a maximum of three passenger boarding points and a maximum of three passenger destination points within the City and County of San Francisco or the San Francisco International Airport.

(c) For trips within the San Francisco city limits by

elderly or handicapped persons who have been deemed eligible under San Francisco's paratransit services program to pay for transportation with scrip redeemable by participating taxicab operators from the Paratransit Program for cash, the fare shall be at the rate less an eight-percent discount for the first year commencing with the effective date of this ordinance and said discount thereafter shall be negotiated as required by the San Francisco Public Utilities Commission with participating San Francisco taxicab operators.

(d) This Subsection shall not apply to public passenger vehicles engaged pursuant to Section 1135(b). The driver of a public passenger vehicle may transport two or more passengers who voluntarily agree to share the vehicle from the same boarding point to one destination point. Each passenger shall pay a fare at the destination point in an amount equal to the total fare divided by the number of passengers sharing the ride.

(e) A passenger who first engages a public passenger vehicle has the exclusive right to conveyance therein to his or her destination. The driver shall not solicit or accept any additional passenger without the prior consent of any passenger who has previously engaged the vehicle.

SEC. 1136. RATES FOR BAGGAGE. The driver of any taxicab shall be entitled to charge an additional amount not to exceed $1.00 for each trunk and for luggage that cannot be conveyed either in the passenger compartment of the vehicle or in the vehicle's trunk with the trunk-lid closed. Each passenger shall be entitled to have conveyed without charge such valise or small package as can be conveniently carried within the vehicle. Other than the charges authorized by this Section, no charge shall be made by the driver for loading or unloading baggage.

SEC. 1137. REVIEW OF RATES. The rates provided in Sections 1135 and 1136 of this Article shall be reviewed by the Board of Supervisors between September 1st and December 1st of each year.

In cases where the holder of more than one permit to operate a sedan, limousine or taxicab fails to render a financial report within the time prescribed and in such form as the Controller may request, for the purpose of obtaining data for the Board of Supervisors in relation to the review of rates, such failure shall be a basis for cancellation of such permits by the Police Commission, provided such cancellation is approved by the Board of Supervisors.

SEC. 1138. WAYBILL. Drivers of taxicabs and motorized rickshaws shall keep an accurate and legible waybill, which waybill shall set forth the following information:

(a) Date of waybill;

(b) Driver's name;

(c) Vehicle number and vehicle license number;

(d) Number of medallion issued by the Police Department;

(e) Time driver began for period covered by waybill;

(f) Starting mileage of the taxicab for period covered by waybill;

(g) Starting meter units for the period covered by the waybill;

(h) Ending time for the period covered by the waybill;

(i) Ending mileage of the taxicab for the period covered by the waybill;

(j) Ending meter units for the period covered by the waybill;

(k) Number of passengers for each trip;

(l) The origin and destination of each trip;

(m) The charges authorized and made for each trip;

(n) The time of hire and discharge for each trip.

The waybill shall be retained for a period of one year at the business address of the owner of the permit. Said waybills shall be available for inspection by any police officer during normal business hours.

SEC. 1139. EMERGENCY RATES FOR TAXICABS. During any period of emergency, strike or other impairment or lack of municipal railway transportation, declared by the Mayor and affecting the entire city or any part thereof, taxicab operators shall accept passengers traveling in the same general direction, though each passenger or passengers may have differing points of pick-up or discharge. At each stop for the pick-up or discharge of a passenger or passengers, the taxicab operator shall collect, or tabulate for later collection at the passenger's point of discharge, the pro-rata share of the amount due as indicated by the meter, and said meter shall then be reset. The rates shall be those set forth in Section 1135.

SEC. 1140. TAXIMETERS.

(a) Use of Inaccurate Taximeters Prohibited. The use of any inaccurate taximeter or other measuring instrument for the purpose of gauging or indicating distance traveled, or waiting time, or for the purpose of fixing rates to be collected from the public, is hereby prohibited, and it shall be the duty of the owner or lessee in possession of any motor vehicle for hire to which there is attached any taximeter or other measuring instrument, to at all times keep said taximeter or other measuring instrument accurate.

(b) Inspection of Taximeters. Every taximeter or other measuring instrument used for the purpose of gauging or indicating distance traveled or waiting time or for the purpose of computing fares to be collected from the public shall be subject to inspection at all times by the Chief of Police or his authorized

representative. The Chief of Police may at any time detail police officers to inspect any or all taximeters or other measuring instruments so used when in his opinion such instruments are inaccurate. Any police officer is directed, upon complaint of any person that the fare charged is more than the legal fare, to investigate and report such complaint immediately to the Chief of Police who shall cause the taximeter or other measuring instrument upon the motor vehicle complained of to be at once inspected. Any person, firm or corporation who, with knowledge of such fact maintains any taximeter or other measuring instrument which registers charges in excess of the legal fare and collects such fare, is subject to revocation of license.

(c) Illuminating Devices. Each motor vehicle to which there is attached a taximeter, while in use in the City and County of San Francisco, for the transportation of passengers for hire, shall be equipped with an efficient illuminating device, either flexible or fixed, so arranged as to enable the passenger or passengers to conveniently observe the meter and the amount of fare registered thereon.

(d) Operation Without Approved Taximeters Prohibited. It shall be unlawful for any driver or operator of any motor vehicle for hire in soliciting trade from the public to represent his vehicle as a taxicab or sedan unless it is equipped with a taximeter in working order, duly inspected and approved as in this Section provided, and unless such vehicle conforms in other respects to the definition of taxicab and sedan in this Article contained.

SEC. 1141. DISAGREEMENT AS TO FARE; RECEIPT.

(a) Decision of Officer. In any case of disagreement between the driver and passenger of a motor vehicle for hire relative to the

legal fare to be paid, the driver shall convey the passenger to the nearest police station, where the officer in charge shall immediately decide the case, and if the decision is in favor of the passenger, the driver shall convey the passenger from the police station to his original destination without additional charge; if the passenger is about to leave the city by railroad, steamboat or otherwise, the police officer on duty at the depot or wharf shall decide the case.

(b) Receipts for Fare to Be Delivered to Passenger. All drivers or operators of motor vehicles for hire, upon the demand of any passenger, shall give a receipt for fare paid, such receipt to be in a form satisfactory to the Chief of Police.

SEC. 1142. REFUSAL TO CONVEY; EXCESSIVE CHARGES.

(a) Refusal to Convey. It shall be unlawful for the owner, lessee or driver of any taxicab operating under permit issued by the police authority of the City and County of San Francisco, to fail or refuse, or to permit the failure or refusal, when in service and not otherwise engaged for hire, to transport to his announced destination within the City and County of San Francisco at rates authorized in this Article, any person who presents himself for carriage in a sober and orderly manner and for a lawful purpose.

(b) Excessive Charges. Any charge made, or sought to be made, any patron of a motor vehicle for hire in excess of the charges authorized by this Article for the particular type of service rendered or sought, when shown either by confession of the party, or competent testimony, or any failure on the part of any driver or operator of any motor vehicle for hire to make proper returns to his employer, shall result in immediate suspension of the license of such driver or operator until such times as, after due process, such license is either reinstated or revoked. Either the

person, or the employer of a person, responsible for any overcharge shall be required to make restitution to any defrauded patron, for the amount of such overcharge.

SEC. 1143. REFUSAL TO CONVEY; REFUSAL TO OBEY POSTED "NO SMOKING" SIGN. Notwithstanding the provisions of Section 1141 of this Article, a taxicab driver who has posted a "no smoking" sign or symbol in the vehicle in accordance with Section 53 of this Police Code may refuse to convey any person who refuses to obey the "no smoking" sign; provided, however, that the taxicab driver brings the "no smoking" sign or symbol to the attention of said person before he or she enters the taxicab.

SEC. 1144, TAXIMETER OPERATION.

(a) Operating a Taxi With Taximeter in Recording Position Prohibited. It shall be unlawful for any driver or operator of any motor vehicle equipped with a taximeter to set the taximeter in operation when such vehicle is not actually employed.

(b) Driver Required to Set Taximeter in a Nonrecording Position. It shall be unlawful for any driver or operator of any motor vehicle equipped with a taximeter to fail to set the taximeter to a nonrecording position at the termination of each and every service and to call the attention of the passenger to the amount registered.

(c) Requiring Taximeter to be Actuated. Except as provided in Section 1135(b) of this Code, it shall be unlawful for any driver or operator of any motor vehicle equipped with a taximeter, while carrying passengers or under employment, to fail to activate the taximeter, or activate the taximeter in such position as to denote that he or she is employed at a rate of fare different from that authorized under the provisions of this Article.

SEC. 1145. PENALTY FOR REFUSAL TO PAY FARE. Except where

credit is extended, any person who shall fail or refuse to pay, at the end of the trip, or the termination or discharge of service, the legal fare for a motor vehicle for hire, that he has hired, shall be guilty of a misdemeanor, and upon conviction thereof, in addition to the penalty provided for the violation of Section 1185 of this Article, shall be compelled to pay to the driver of said vehicle an amount equal to the legal fare, and in case any bail required is forfeited, the amount of the legal fare shall be paid to the driver from such amount forfeited, and the Court or Judge, before whom the case is heard, shall order the same to be paid from the treasury of the City and County.

SEC. 1146. DEDUCTION FOR TIME WHILE DISABLED. In the event that a taxicab, while conveying for hire any passenger or passengers, becomes disabled, or breaks down, the time of stoppage shall be deducted from the time charged for.

DIVISION 3 - JITNEY BUSES

SEC. 1150. JITNEY PERMITS.

(a) It shall be unlawful to own or operate a jitney in the City and County of San Francisco unless a jitney permit has been issued by the Police Commission for the operation of that vehicle pursuant to this Section.

(b) Jitney permits shall be applied for and issued pursuant to Sections 1079 through 1081 of this Article. In addition to the requirements set forth in those Sections, the applicant for a jitney bus permit shall state the proposed route over which the applicant proposes to operate the jitney bus.

SEC. 1151. APPROVAL OF ROUTES REQUIRED. It shall be unlawful to drive or operate, or cause to be driven or operated, any jitney bus upon or along any street or route unless such street or route is first approved by the Board of Supervisors after public hearing.

SEC. 1152. RATES AND FARES FOR JITNEY BUSES.

(a) Routes. The following routes are hereby approved for jitney bus operation

(1) From Market St. at 4th to Hunters Point;

(2) From Market St. at 4th St. to 3rd and Army Sts.;

(3) From 3rd and Army Sts. to Hunters Point;

(4) From Hunters Point to Market at 3rd;

(5) From 3rd and Army Sts. to Market at 3rd;

(6) From Hunters Point to 3rd and Army Sts.;

(7) From the Ferry Building to the County Line on Mission Street,;

(8) From the Ferry Building to Twenty-Second and Mission Streets;

(9) From Twenty-Second and Mission Streets to the County Line;

(10) From Sickles Avenue and Mission Street to the Ferry Building;

(11) From Sickles Avenue and Mission Street to Twenty-Second and Mission Streets;

(12) From Twenty-Second and Mission Streets to the Ferry Building;

(13) Between Ellis and Taylor Streets and Broadway Street, north or southbound;

(14) Between Fisherman's Wharf and Broadway Street, south or northbound;

(15) From Ellis and Taylor Streets past Broadway Street to Fisherman's Wharf;

(16) From Fisherman's Wharf past Broadway Street to Ellis and Taylor Streets;

(17) Between Pier 39 and Ghirardelli Square or Maritime Museum, east or westbound;

Nothing in this Section shall be construed to diminish in any way the authority of the Board of Supervisors, after public hearing, to designate routes.

(b) Fares; Increases per Muni Fare Increases. The fare for each route approved in subsection (a) shall be 85¢. Whenever the Adult Base Cash Fare for the Municipal Railway is increased, the fares to be charged by jitney buses shall be increased by a like amount in dollars and cents.

SEC. 1153. SUSPENSION OF OPERATION. Notwithstanding the provisions of Section 1096 of this Article, the Chief of Police shall, upon written application, grant to the holder of a permit to operate a jitney bus permission to suspend operation of the permit for a period not to exceed one year in case of economic hardship arising from the operation of other forms of public transportation over substantially the same route the permittee is operating a jitney bus, if in the judgment of the Chief of Police investigation discloses that the statements contained in said written application warrant such permission. Permission to suspend operation of a jitney bus permit pursuant to the provisions of this Section shall be in addition to the period of suspension authorized by the provisions of Section 1096(c) of this Article.

SEC. 1154. EMERGENCY PERMITS. During any period of emergency, strike or other impairment of Municipal Railway transportation affecting the entire city or any part thereof, the Chief of Police shall have authority to issue permits for the operation of vehicles to transport passengers for a charge to be determined by Section 1152 of this Article. Such permits shall be granted upon the following conditions:

(a) Each applicant shall comply with the provisions of Section 1080 through 1085 of this Article.

(b) The designated route and price to be charged for transportation shall be specified in the permit.

(c) Persons operating under such permits shall not use any other route signs than those issued to them by the Chief of Police.

DIVISION 4 - SIGHTSEEING AND INTERURBAN BUSES

SEC. 1155. SIGHTSEEING AND INTERURBAN BUS PERMITS.

(a) It shall be unlawful to own or operate a sightseeing bus or an interurban bus in the City and County of San Francisco unless a sightseeing bus permit or a interurban bus permit has been issued by the Police Commission for the operation of that vehicle pursuant to this Section.

(b) Sightseeing bus permits and interurban bus permits shall be applied for and issued pursuant to Sections 1079 through 1081 of this Article. In addition to the requirements set forth in those sections, the applicant for a sightseeing or interurban bus permit shall state the proposed route over which the applicant proposed to operate the sightseeing or interurban buses.

SEC. 1156. NAME ON VEHICLE. Every sightseeing bus licensed pursuant to this Article shall have the name under which the owner operates plainly painted in letters at least two inches in height on the forward portion of the side panels of the sightseeing bus.

SEC. 1157. TEMPORARY SIGHTSEEING BUS PERMITS.

(a) Notwithstanding the provisions of Sections 1075 and 1079 through 1081 of this Article, the Police Commission, after investigation, may find that the existing permit holders for sightseeing buses are not, or cannot provide adequate service for the public. In the event of such a finding, the Police Commission may issue temporary sightseeing bus permits, subject to such

regulations as may be required by public convenience and necessity, to persons, firms or corporations who satisfy the requirements of subsection (b) of this Section.

(b) To be eligible for a temporary sightseeing bus permit, an applicant must satisfy all of the following requirements:

(i) Be reasonably fit and have financial responsibility to initiate promptly and to provide competently and safely sightseeing services by bus within the City of San Francisco.

(ii) Provide sightseeing service only in vehicles furnished by a holder of a certificate or permit issued by the Public Utilities Commission of the State of California pursuant to the provision of Division II, Chapter VIII (commencing with Section 5351) of the Public Utilities Code of the State of California.

(iii) Be reasonable experienced in arranging sightseeing tours and services in San Francisco for incoming visitors.

(c) Temporary permits issued pursuant to this Section authorize the permittee to provide sightseeing services and tours by sightseeing bus within the City of San Francisco and to sell tickets for sightseeing tours on a per capita or any other reasonable basis.

(d) Temporary permits issued pursuant to this Section shall be valid for a period not to exceed 180 days; provided, that the Police Commission after public hearing may review temporary sightseeing permits if required by public convenience and necessity.

(e) Sections 1155 and 1158 of this Article shall be applicable to applications for temporary sightseeing bus permits.

SEC. 1158. FILING ROUTES AND FARES FOR SIGHTSEEING BUSES.

(a) Permittees issued sightseeing bus permits pursuant to the provisions of this Article shall file with the Board of Supervisors

the routes and fares per passenger charged for each sightseeing bus trip.

(b) The Board of Supervisors may adopt, modify or reject the routes or fare schedules submitted.

(c) Should the Board of Supervisors, by resolution, adopt or modify the route or fare schedule submitted, such shall be the route traveled and fare charged.

(d) Should the Board of Supervisors, by resolution, reject the route or fare schedule proposed, the permittee submitting said route or fare schedule shall not operate a sightseeing bus on said route or charge the rejected fare unless and until the permittee submits, and the Board of Supervisors adopts, a new and different route and fare schedule submitted.

SEC. 1159. UNION SQUARE AND FISHERMAN'S WHARF SIGHTSEEING BUS STANDS.

(a) Union Square Stand. The Department of Public Works shall issue to a single person or entity a permit for a sightseeing vehicle to stand on the east side of Powell Street, between Geary and Post Streets, for the purpose of selling tickets for sightseeing tours and for the other purposes as described in this section. A vehicle owned by the permittee may pick up and discharge sightseeing passengers from the Powell Street curb in front of the vehicle ticket stand an average of not more than two times each hour, provided that such vehicle does not spend more than ten minutes at the curb in each instance.

(b) Permit Required. None of the vehicles mentioned in this Section shall stand on the streets mentioned herein unless the permit from the Department of Public Works has been first obtained. Not more than one permit shall be issued to any person, firm, corporation or association for more than one vehicle at any one time.

(c) Terms of Permit. The permit referred to in subsections (a) and (b) above shall have a term of five years, and shall be competitively rebid every five years by the Department of Public Works in order to ensure that the service to the touring public and to the City is adequate, and in order to give other sightseeing tour operators the opportunity to bid on the permit by demonstrating to the Department of Public Works that they can provide better service to the touring public and to the City. Not less than six months prior to the expiration date of the permit, the Director of Public Works shall solicit bids to operate the sightseeing ticket stand at Union Square in compliance with this ordinance. The Department of Public Works shall conduct a hearing to consider such bids and at such hearing each person making a proposal shall have an opportunity to present its proposal to the Department. Each time the sightseeing bus permit is issued, the successful permittee shall pay a permit fee of $5,000. The Department of Public Works may revoke the permit at any time if it finds, after notice and hearing, that the permittee consistently is in material violation of this Section. The Department of Public Works shall base its decision to award the permit upon specific applicable criteria developed and published by the Department of Public Works, after a public comment period of not less than 30 days, which shall include, but be not limited to the factors set forth below.

(1) Whether the financial, equipment, and personnel resources, and the financial responsibility of the proposed permittee are such that it will likely be able to conduct its proposed sightseeing tour operation during the term of the permit and otherwise fulfill its obligations under this Section;

(2) Whether the proposed permittee's duration and breadth

of experience in the sightseeing tour business in San Francisco is sufficient;

(3) Whether the proposed vehicle ticket stand, ticket sales operation, and sightseeing tour operation is aesthetically consistent with the Union Square ambience and atmosphere and will best serve the City and the touring public;

(4) Whether a "prevailing wage" as that term is defined in Section 6.1-3 of Chapter 6 of the San Francisco Administrative Code has been or will be paid to employees of the proposed permittee or its independent contractors, and whether the various terms and conditions of employment required by law have been and will be observed;

(5) Whether the amount of public liability and vehicle insurance coverage carried by the proposed permittee is reasonable;

(6) Whether a Public Utilities Commission sightseeing or other appropriate permit or certificate granting authority to operate sightseeing and/or charter tours has been obtained;

(7) Whether the proposed permittee has a record of timely and comprehensive tour service to the public;

(8) In the case of an existing permittee, whether the permittee's record of performance of its obligations under this section is satisfactory;

(d) The successful permittee shall conduct its sightseeing tour operation substantially as described in its proposal to the Department of Public Works. The permittee shall offer and display to the public free of charge at the ticket stand a brochure containing information about the history of San Francisco and Union Square. The permittee shall staff the ticket stand with at least one person knowledgeable about he history of San Francisco and Union

Square, not less than 10 hours per day, seven days per week, and shall provide sightseeing tours to the public each day of the year including holidays. At all times during the term of the permit, the permittee shall carry general public liability and vehicle insurance in amounts not less than those required by the Department in its reasonable discretion, but in no event less than the amounts required to be carried by holders of sightseeing permits granted by the California Public Utilities Commission. In addition, the permittee shall comply with all rules and regulations relating to inspection, maintenance, etc. program submitted by the permittee and approved by the Department of Public Works.

(e) Fisherman's Wharf Stand. The Department of Public Works may issue permits for sightseeing buses to stand on the north side of Beach Street between Leavenworth and Jones Streets, and the east and west side of Leavenworth Street between Beach and Jefferson Streets. Sightseeing tour vehicles shall not stand on the streets mentioned herein unless the permit from the Department of Public Works has been first obtained. The Department of Public Works shall establish a fee for such permit based upon the estimated cost of administering the permit process.

DIVISION 5 - MOTORIZED RICKSHAWS

SEC. 1160. MOTORIZED RICKSHAW PERMITS. It shall be unlawful to own or operate a motorized rickshaw in the City and County of San Francisco unless a motorized rickshaw permit has been issued by the Police Commission for the operation of that vehicle pursuant to this Section. Motorized rickshaw permits shall be applied for and issued pursuant to Sections 1079 through 1081; provided, however, that upon application any person who held motorized rickshaw permits on September 15, 1984 or on the effective date of this Article shall be entitled to hold an equal number of such permits under this Article.

SEC. 1161. RATES FOR MOTORIZED RICKSHAWS. The rates of fare for motorized rickshaw shall be as follows:

(a) on a time basis, not more than $12.50 for the first half hour or fraction thereof, and $12.50 for each succeeding half hour or fraction thereof. For each additional passenger above two, not more than $6.25 per passenger for the first half hour and each succeeding half hour;

(b) On a mileage basis, not more than $1.00 for the first mile or fraction thereof, and 50¢ for each additional half mile or fraction thereof.

(c) Said rates as to time and mileage shall be computed from the time and place said rickshaw was dispatched to the passenger until it is returned to the point of origin.

(d) Drivers of motorized rickshaws shall complete an accurate waybill as described in Section 1127 if this Article.

DIVISION 6 - LIMOUSINES

SEC. 1165. LIMOUSINE PERMITS. It shall be unlawful to own or operate a limousine in the City and County of San Francisco unless a limousine permit has been issued by the Police Commission for the operation of that vehicle pursuant to this Section. Limousine permits shall be applied for and issued pursuant to Sections 1080 through 1081 of this Article.

SEC. 1166. UNION SQUARE STANDS.

The Department of Public Works may issue permits, not to exceed 35 in number at any one time, for limousines to stand on the north side of Geary Street between Stockton and Powell Streets and on the west side of Stockton Street between Geary and Post Streets.

DIVISION 7 - EMPLOYERS' BUS STANDS

SEC. 1170. EMPLOYER'S BUS STANDS.

(a) Designation of Stands. Upon approval of the permit

described in subsection (b) of this Section, the Department of Public Works may designate as an employer's bus stand a portion of the curb area of any street for the exclusive use of one or more employer's buses in order to load and unload passengers at a business location of the employer.

(b) Applications for Permit. The Department of Public Works shall grant an employer's bus stand permit to any employer who has a vehicle that the Department determines meets the definition set out in Section 1076(w) above; provided, that the Department also determines that the operation of the employer's bus will alleviate traffic in the Metropolitan Traffic District. In designating a portion of a street as a employer's bus stand, the Department shall select a location which is reasonably close to the employer's business location, the use of which will not interfere with traffic patterns in the area. The permit shall designate the two block area within which the employer's bus stand permit shall be valid. An employer may apply for a separate employer's bus stand permit for each employer's bus that is regularly operated. The Department is authorized to revoke any employer's bus permit if it determines that the bus is not operated on a regular basis, that the number of persons employed by the employer is less than 100 or that the operation of the bus does not alleviate traffic problems in the Metropolitan Traffic District. Employers shall pay a $25 license fee for the issuance of each employer's bus stand permit.

SEC. 1171. USE OF EMPLOYER'S BUS STANDS PROHIBITED BY UNAUTHORIZED VEHICLES; PENALTY. No person shall park, stand or stop any vehicle in an employer's bus stand unless such person is operating a vehicle which has been issued an employer's bus stand permit and such person must display said permit upon request. Furthermore, an employer's bus stand permit shall be valid only at

those stands which are located within two blocks of a business location of the employer who owns the bus. Any person violating this Section shall be deemed guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than $5 nor more than $50. The Department of Public Works shall post signs at each employer's bus stand informing the public that only vehicles with employer's bus stand permits may lawfully park, stand or stop at that location.

DIVISION 8 - RENTAL VEHICLES

SEC. 1175. BUSINESSES OF RENTING OR LEASING MOTOR VEHICLES AND/OR TRAILERS FOR A PERIOD OF 60 DAYS OR LESS WITHOUT DRIVER OR OPERATOR. The business of renting or leasing motor vehicles and/or trailers in the City and County of San Francisco for a period of 60 days or less without a driver or operator thereof is hereby declared to be subject to police inspection and regulation as in Sections 1175 through 1180, inclusive of this Article provided.

SEC. 1176. DEFINITIONS. For the purpose of the provisions of Sections 1175 through 1180 inclusive of this Article, whenever the following words, terms or phrases are used, the definitions herein given shall be deemed to be the meaning of such words, terms or phrases, except where otherwise expressly stated:

"Motor Vehicle." A vehicle as defined in Section 415 of the California Vehicle Code.

"Trailer." A vehicle as defined in Section 630 of the California Vehicle Code.

"Person." A sole proprietor, partnership, association, business trust or corporation.

"Location." A place where a person or salaried employee of a person executes an agreement for the rental or lease of a motor vehicle and/or trailer for a period of 60 days or less without a

driver or operator and makes delivery or arranges for the delivery thereof pursuant to said rental or lease agreement.

"VIN." Vehicle Identification Number.

SEC. 1177. PERMIT REQUIRED. Every person engaged in said business of renting or leasing motor vehicles and/or trailers for a period of 60 days or less for hire without drivers or operators shall hereafter obtain from the Police Department a separate permit for each such location where such person conducts such business, which permit(s) shall be revocable by said department for cause and after a hearing. The application for such permit(s) shall state the address of each such location where such person conducts such business, and the name of the owner or owners, manager or officer thereof. After the issuance of such permit, any change of, or addition to such locations shall be reported to the Police Department within five days thereafter and permit issued for each such additional location. Each licensee of a person or independent contractor of a person shall be considered an independent person and shall obtain his own separate permit. Location does not include any place where a person takes or accepts reservations only, or a hotel, motel or inn which provides reservations and/or customer transportation service only. Every explication under this Section shall comply with Sections 1180 through 1185 of this Article.

SEC. 1178. RECORDS TO BE KEPT; CONTENTS. Every person engaged in the type of business referred to in Sections 1175 and 1177 of this Article shall keep records of all motor vehicles and/or trailers rented or leased for a period of 60 days or less, which records will show:

(a) The name and address of the individual, firm or corporation to whom such motor vehicle and/or trailer is rented or leased;

(b) The date and time thereof and the time when same is returned;

(c) A description of each rented or leased motor vehicle and/or trailer to include: Make, year, body style, color, VIN, and license number.

SEC. 1179. DRIVER'S LICENSE REQUIRED. Every person engaged in the business of renting or leasing motor vehicles and/or trailers for a period of 60 days or less shall not rent or lease to any individual, firm or corporation a motor vehicle and/or trailer unless the driver's license provisions of Section 14608 of the California Vehicle Code are complied with.

SEC. 1180. LICENSE FEES. Every person, as defined in Section 1176 shall pay an annual license fee for each such location as defined in said Section 1176; provided, however, every person who operates a repair garage and grants temporary use of a motor vehicle to a customer without charge, while the motor vehicle belonging to said customer is being repaired or serviced in the repair garage, shall pay an annual license fee.

DIVISION 9 - RESTRICTED AREAS

SEC. 1183. OPERATION OF PASSENGER-CARRYING COMMERCIAL MOTOR VEHICLES WITHIN CERTAIN STREETS AND AREAS, PROHIBITED.

(a) It shall be unlawful for any person to operate any commercial motor vehicle with seating capacity of eight or more passengers, other than a passenger-carrying commercial van, used or maintained for the transportation of persons for hire, compensation, or profit, upon the streets or areas designated in Section 1183.1 et seq. of this Article. It shall be unlawful for any person to operate any passenger-carrying commercial van, used or maintained for the transportation of persons for hire, compensation or profit, upon the streets or areas designated in Sections 1183.14 et seq. of this Article.

(b) The provisions of this Section shall not apply to "jitney buses" as defined in Section 1076 of this Article.

(c) The provisions of this Section shall not apply to buses operated by the San Mateo County Transit District eastbound on Market Street between Main and Spear Streets; provided no more than two buses per hour are operated on this block of Market Street. The provisions of this Section shall not apply to such business when on Market Street westbound between Main and Pine Streets, or on Pine Street between Market and Battery Streets, or on Battery Street between Pine and Market Street, provided no more than 16 such buses are operated on these streets between the hours of 7:00 a.m. and 9:00 a.m., and no more than 16 buses between the hours of 4:00 p.m. and 6:00 p.m., Monday through Friday, and no more than two buses per hour at all other times.

(d) This Section shall not apply to buses operated by the San Mateo County Transit District on Post Street between Mason and Kearney Streets; on Sutter Street between Mason and Montgomery Streets; on Montgomery Street between California and Market Streets; on California Street between Battery Street and Davis Street; on Davis Street between California Street and Market Street; or on Kearney Street between California Street and Market Street.

SEC. 1183.1 RESTRICTED AREAS. Area bounded by Chestnut Street to Baker Street, to Marina Boulevard to Laguna Street, to Bay Street, to Franklin Street and returning to Chestnut Street, and including the boundary streets of the area.

SEC. 1183.2 RESTRICTED AREAS. In areas described as follows: Commencing at the point of intersection of the northerly line of Sutter Street with the westerly line of Mason Street; thence easterly along the northerly line of Sutter Street to its

intersection with the westerly line of Grant Avenue; thence northerly along the westerly line of Grant Avenue to its intersection with the northerly line of Bush Street; thence easterly along the northerly line of Bush Street to its intersection with the westerly line of Kearny Street; thence northerly along the westerly line of Kearny Street to its intersection with the northerly line of California Street; thence easterly along the northerly line of California Street to its intersection with the northerly line of Market Street; thence southerly across Market Street to the intersection of the southerly line of Market Street with the easterly line of Spear Street; thence westerly along the southerly line of Market Street to its intersection with the westerly line of Fifth Street; thence northerly across Market Street to the northerly line of Market Street; thence westerly along the northerly line of Market Street to its intersection with the westerly line of Mason Street; thence northerly along the westerly limit Mason Street to the point of commencement; provided, however, that for the purpose of encouraging the use of mass transit facilities, the Board of Supervisors by resolution, may designate specific routes within the area described hereinabove along which the aforesaid vehicles may be operated.

The provisions of this Section shall not apply to any "sightseeing bus" as defined in Section 1155 of this Code used for the transporting of tourists and sightseers, over the public streets between certain defined points of termini within the limits of the City and County of San Francisco.

SEC. 1183.2.1. RESTRICTED AREAS. Parker Avenue, Beaumont Avenue, Stanyan Street and Rossi Avenue, between Anza and Turk Street.

SEC. 1183.3. RESTRICTED AREAS. Corbett Avenue, between Seventeenth and Twenty-Fourth Streets.

SEC. 1183.4. RESTRICTED AREAS. Seal Rock Drive, between Forty-Fifth Avenue and El Camino Del Mar.

SEC. 1183.5. RESTRICTED AREAS. Twin Peaks Boulevard, between Clayton Street and Burnett Drive.

SEC. 1183.6. RESTRICTED AREAS. Panorama Drive, between Clarendon Avenue and Twin Peaks Boulevard.

SEC. 1183.7. RESTRICTED AREAS. Olympia Way, between Clarendon Avenue and Panorama Drive.

SEC. 1183.8. RESTRICTED AREAS. Green Street, between Grant Avenue and Montgomery Street.

SEC. 1183.9. RESTRICTED AREAS. Montgomery Street, between Green Street and Broadway.

SEC. 1183.10. RESTRICTED AREAS. Vallejo Street, between Montgomery and Sansome Streets.

SEC. 1183.11. RESTRICTED AREAS. Lombard Street, between Stockton and Kearny Streets.

SEC. 1183.12. RESTRICTED AREAS. Telegraph Hill Boulevard, between Kearny Street and Coit Tower parking lot.

SEC. 1183.13. RESTRICTED AREAS. El Camino Del Mar, between Twenty-Fifth Avenue and Legion of Honor Drive.

SEC. 1183.14. RESTRICTED AREAS. Area bounded by southerly line of Bay Street and Columbus Avenue, westerly line of Taylor Street, northerly line of Union Street and easterly line of Polk Street.

SEC. 1183.15. RESTRICTED AREAS. Franklin Street, between California Street and Lombard Street.

SEC. 1183.16. RESTRICTED AREAS. Parker Avenue, Beaumont Avenue, Stanyan Street and Rossi Avenue, between Anza and Turk Streets.

SEC. 1183.17. RESTRICTED AREAS. Union Street, between Steiner and Lyon Streets, and Lyon Street, between Lombard and Green Street.

DIVISION 10 - PENALTIES

SEC. 1185. PENALTIES.

(a) Violations Chargeable as Misdemeanors or Infractions; Assisting or Inducing Violation. Unless otherwise specified in this Article, any person violating any section of this Article shall be deemed guilty of a misdemeanor or an infraction. It shall be a violation of this Article to knowingly assist or knowingly induce another to violate a provision of this Article.

(b) Misdemeanor Penalties. Upon conviction of a violation charged as a misdemeanor, the person so convicted shall be subject to a fine of not more than $500 or imprisonment in the County Jail for period of not more than six months, or by both such fine and imprisonment; provided, however, that any person or entity violating Sections 1078 (requiring permits), 1084(b) or (c) (notification of death of permittee; lease of permit of deceased permittee), 1089 (requiring drivers permits), 1091 through 1093 (requiring insurance), or 1110 (false statements) of this Article shall, upon conviction thereof, be subject to a fine of not more than $1000 or imprisonment in the County Jail for period of not more than one year, or by both such fine and imprisonment.

(c) Infraction Penalties. Upon conviction of a violation charged as an infraction, the person so convicted shall be punished for the first offense by a fine of not less than $10 nor more than $50, and for a second an any additional offense by a fine of not less than $20 and not more than $100.

Section 3. Part II, Chapter VIII, Article 1, Section 51.1 of the San Francisco Municipal Code (Police Code) is hereby amended to read:

Note: Additions are indicated by underscoring. Deletions are indicated by ((double parentheses)).

SEC. 51.1 SMOKING IN JITNEY BUSES. It shall be unlawful for any person to smoke or carry a lighted cigar, cigarette or pipe in that portion of a jitney bus, as defined in Section 1076 ((1086)) of this Code, which is forward of the rear one-third of the passenger seats, while the said jitney bus is carrying one or more fare-paying passengers.

Each jitney bus shall be clearly marked to designate that portion of such bus in which the prohibition of this Section applies.

Part II, Chapter VIII, Article 1, Section 53 of the San Francisco Municipal Code (Police Code) is hereby amended to read as follows:

Note: Additions are indicated by underscoring. Deletions are indicated by ((double parentheses)).

SEC. 53. SMOKING PROHIBITED IN TAXICABS WHERE SIGN POSTED. (a) Purpose. Because the smoking of tobacco or any other substance is a danger to health and is a cause of considerable annoyance and discomfort to those who must work in confined spaces, the Board of Supervisors hereby declares that the purpose of this Section is to protect the health and welfare of taxicab drivers who desire to work in a smoke-free environment.

(b) "No Smoking" Signs Required To Be Provided. Every person, firm or corporation operating a taxicab or taxicabs, as defined in Section 1076 ((1116)) of this Code, pursuant to a permit issued by the Chief of Police shall provide a "no smoking" sign and/or the international no-smoking symbol for each vehicle during all hours of operation and shall authorize the driver of the vehicle to determine whether or not to post the no-smoking sign or symbol in the vehicle.

(c) Smoking Prohibited Where "No Smoking" Sign Posted. It shall be unlawful for any person to smoke or carry a lighted cigar, cigarette or pipe in a taxicab wherein a "no smoking" sign and/or the international no-smoking symbol is posted in a place readily to be seen and read by the passengers.

(d) No Private Right of Action. In undertaking the enforcement of this ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is

liable in money damages to any person who claims that such breach proximately caused injury.

(e) No Intent to Affect Rights and Obligations Under State Law. This Section is not intended to affect any rights or obligations of taxicab operators or patrons conferred or imposed by state law.

Section 4. This ordinance shall become effective March 1, 1989.

Section 5. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The Board of Supervisors of the City and County of San Francisco hereby declare that they would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
John E. Morris
Deputy City Attorney

****g/****g/****g

SUPERVISOR SILVER
3013g

Page 64
03/13/89

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 12, 1988	December 19, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Silver Walker Ward
Noes: Supervisors Hsieh Maher Molinari	Noes: Supervisors Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
15-88-2

DEC 27 1988
Date Approved

_____
Mayor

6654 4

Utica/Omaha, Ne
Houchen
Bindery Ltd
2012